

person or persons who did write and post the libelous material that had been removed from Black Belt's Facebook page.

30. On March 17, 2016, defendant Schaeffer sent an email on her behalf as well as on behalf of her sister, Defendant Long, again stating that a further response to our letter would be forthcoming from the Defendants or their (unnamed) "counsel".

31. On March 18, 2016, a letter of representation as to all four Defendants was received promising a full response after meeting with those defendants "early next week".

32. The promised "full response" was received March 28, 2016, and was little more than an argumentative letter which included no retraction or repudiation of any of the material specified above as false, defamatory and misleading and lacking in any factual support.

33. A final demand for a retraction was delivered on March 30, 2016, and the deadline given in that demand for making such retraction has passed without any response from Defendants or their counsel.

COUNT I

(LIBEL)

34. Plaintiffs aver that the Defendants published the above material knowing of its falsity and sensationalizing sting, with malice by intentional action or with reckless disregard for the truth, with an intent to disparage and demonize Plaintiffs and Arrowhead Landfill in the hope of achieving their goal of getting rid of Arrowhead Landfill.

35. Plaintiffs aver that by portraying Arrowhead Landfill as a facility that is a corrupt, intentional polluter of the Uniontown community that also desecrates cemeteries

and is intentionally preying on that community to the extent that it calls to mind slavery times and false imprisonment, the Defendants have through the national and international publication of such sensational and defamatory (though false) allegations permanently injured and damaged the business and reputation of Plaintiffs.

36. As a proximate consequence of the libel and defamation of Plaintiffs, they have been injured and permanently damaged as set forth herein.

WHEREFORE, the Plaintiffs demand judgment against the Defendants, separately and severally, in the amount of Five Million and no/100 DOLLARS (\$5,000,000.00) in compensatory damages and Ten Million and no/100 DOLLARS (\$10,000,000.00) in punitive damages.

COUNT II

(SLANDER)

37. Plaintiffs further aver that the Defendants organized and publicized a “news conference” held on December 4, 2015, featuring the Alabama State Conference of the NAACP in Uniontown, Alabama, and during that press conference, Defendant Eaton told the press there assembled, including Dennis Pillion from al.com⁸, that:

"We are tired of being taken advantage of in this community," said Uniontown resident Benjamin Eaton, who is a member of the group Black Belt Citizens Fighting for Health and Justice. "The living around here can't rest because of the **toxic material** from the coal ash **leaking into creeks and contaminating the environment**, and the deceased can't rest because of **desecration of their resting place**." (Emphasis added.)⁹

⁸ Articles on al.com are available nationally and internationally through their on line presence at <http://www.al.com>.

⁹ See: *Cemetery Dispute the Latest Conflict Between Arrowhead Landfill, Uniontown Residents*, Dennis Pillion, December 5, 2015,

38. Plaintiffs aver that the the Defendant Eaton knew or had reason to know of the lack of a truthful foundation for his statement and yet used the occasion to further hype the sensational and defamatory nature of the continuing campaign by Black Belt against Arrowhead Landfill in furtherance of its stated goal to “Get rid of the Arrowhead Landfill”.

39. Plaintiffs further aver that the Defendants obtained an appearance by Defendant Calhoun on the “Uprising with Sonali” radio show which originates in Southern California and is available nationally and internationally through that show’s website. During Defendant Calhoun’s appearance, she made statements on air that were false and defamatory, including:

“Its a landfill, its a tall mountain of coal ash and it has affected us. **It affected our everyday life.** It really has done a lot to our freedom. **Its another impact of slavery.** ...Cause we are in a black residence, things change? And you can't walk outside. And **you can not breathe. I mean, you are in like prison.** I mean, its like **all your freedom is gone.**”

“As a black woman, our voices are not heard. EPA hasn't listened and ADEM has not listened. Whether you are white or black, rich or poor, it should still matter and **we all should have the right to clean air and clean water.** I want to see EPA do their job.”

40. The statements made by the Defendants Eaton and Calhoun were false and defamatory and were made with the malicious intent or reckless disregard to publish such false statements despite knowing or having reason to know of their falsity.

http://www.al.com/news/index.ssf/2015/12/arrowhead_landfill_union_town_r.html

41. Plaintiffs aver the publication of such sensational and defamatory (though false) allegations have permanently injured and damaged the business and reputation of Plaintiffs.

42. As a proximate consequence of the slander of Plaintiffs, they have been injured and permanently damaged as set forth herein.

WHEREFORE, the Plaintiffs demand judgment against the Defendants, separately and severally, in the amount of Five Million and no/100 DOLLARS (\$5,000,000.00) in compensatory damages and Ten Million and no/100 DOLLARS (\$10,000,000.00) in punitive damages.

TRIAL BY JURY is demanded as to all counts.

//s// Michael D. Smith
Michael D. Smith (ASB-0052-H66M)

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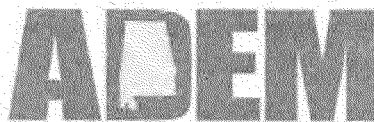
//s// Kirkland E. Reid (with permission)
Kirkland E. Reid (REIDK9451)

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EXHIBIT -

LANCE R. LEFLEUR
DIRECTOR



ROBERT J. BENTLEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

July 19, 2012

CERTIFIED MAIL (NO. 91 7108 2133 3936 3728 4428)
RETURN RECEIPT REQUESTED

Mr. Rafael DeLeon, Director
U.S. Environmental Protection Agency
Office of Civil Rights
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460-1000

RE: EPA File No. 01R-12-R4

Dear Mr. DeLeon:

The Alabama Department of Environmental Management ("ADEM") received your notice of Acceptance of Administrative Complaint for investigation in our office on June 19, 2012. This letter serves as our response to that notice.

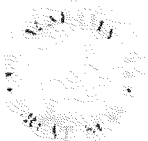
According to the complaint, OCR is investigating the allegation that ADEM, on September 27, 2011 and on February 3, 2012, violated Title VI of the Civil Rights Act and EPA's implementing regulations by renewing Permit No. 5303 ("Permit") for Perry County Associates, LLC ("Permittee") to continue to operate the Arrowhead Landfill in Perry County and by authorizing a modification to the Permit to expand the disposal area of the municipal solid waste landfill by 169.17 acres. Furthermore, the complaint alleges that the renewal and modification of the Permit will adversely and disparately impact (or have the effect of impacting) African-American residents residing nearby and in the surrounding community.

ADEM approved the renewal and modification of the existing Permit to construct and operate new waste disposal cells within the already permitted boundary of the existing landfill. The facility boundary and the service area of the Permittee did not change. For this reason, the changes being requested to the existing Permit did not require host local government approval pursuant to Ala. Code §22-27-48(a) (2009 Cum. Supp.), so there was no need for the host local government to reconsider siting factors.



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Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S.W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)



Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
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Mobile, AL 36615-1421
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Mr. Rafael DeLeon, Director
US EPA Office of Civil Rights

Page 2

July 19, 2012

The Department is confident that the renewal and modification of the Arrowhead permit was conducted in full adherence to all applicable state and federal solid waste requirements and thus is protective of all citizens. This conclusion is consistent with the approval by EPA Region 4 for this facility to accept CERCLA waste generated from the TVA Kingston, Tennessee coal-ash spill. Indeed, the approval by EPA for this facility to accept the coal-ash waste contributed to the need for additional cells and the permit modification.

If you have any questions concerning our response, please do not hesitate to contact Shawn Sibley with our Office of General Counsel at (334) 271-7855.

Sincerely,

A handwritten signature in black ink, appearing to read "Lance R. LeFleur", written in a cursive style.

Lance R. LeFleur
Director

EXHIBIT ↑

DECLARATION OF ESTHER CALHOUN

1. My name is Esther Calhoun. I am of legal age and competent to give this declaration. All of the information herein is based on my own personal knowledge unless otherwise indicated.

2. I live at Ex. 6 - Personal Privacy and my mailing address is Ex. 6 - Personal Privacy
Uniontown, Alabama, 36786.

3. My home is approximately 3 to 4 miles from the Arrowhead Landfill ("Landfill") as the crow flies. See Exhibit A.

4. I was born in Uniontown, lived here as a child, and went to Uniontown High School through the 9th grade. I graduated from Keith High School in Orrville, Alabama. At 17, I moved to Indiana, where I worked as a nurse's assistant. I had my first child, Jamaris, at the age of 22 in Indiana. I returned to Uniontown to take care of my Granddaddy, who had congestive heart failure, and I have lived in Uniontown ever since. I am now 51 years old.

5. Like many others in this community, my family has been in Uniontown for generations. I am African American, and my Daddy and Granddaddy were sharecroppers who grew cotton, corn and okra on the Tate plantation, which is nearby, about 2-3 miles from where the Landfill is now. I was born on the Long Coleman plantation, which is also nearby, approximately 3 miles from the Landfill.

6. I have two sons by birth, Jamaris, Ex. 6 - Personal Privacy and Marqual Johnson,
 Both sons used to live with me at Ex. 6 - Personal Privacy and they still visit
periodically. I have also raised Tim Black in my home since he was 3 months old.
Tim is now years old and continues to live with me. My brother, who is
lives with me in my home as well. I live next to my father, age , my mother, age
 and my sister, age . Together we also have a number of pets, including my
sister's poodle, Tim's Chihuahua, and Jamaris's rednose bulldog.

7. Our homes are located near the Landfill and the railroad tracks, and
we are also close to other sources of pollution in Uniontown, including the cheese
plant, which is very close to my home. Taken together, these sources of pollution
cause me to worry about my own health, as well as that of Tim's health, my parents,
other family members' health, our pets and the community.

8. In particular, I live very close to the railroad tracks where the coal cars
and other trash pass on the way to or from the landfill. I used to live even closer to
the railroad tracks, just 10 steps away. Coal ash has spilled onto the tracks and I
have seen the coal ash on and near the tracks. I believe that this dust still remains
in the area and kicks up into the air, continuing to pollute our air and water. I
believe that the coal ash also gets onto our cars and into our homes, meaning that
the pollution is a constant presence in our lives.

9. The railroad tracks are within a half of a block from where I live and the tracks are also within a block from the school. To this day, children walk the tracks and are exposed to coal ash when they walk on the sidewalks.

10. I also go toward or by the Landfill regularly for any number of reasons – to go to church, to visit people – and I see the flies and buzzards nearby. I breathe in the smell and whatever toxics are in the air. Before she died, I would come to see Della Dial regularly, particularly during the summer. She was like a sister to me. My church, the Friendship Missionary Baptist Church, is also down the road from the Landfill, at 6120 Central Mills Road. See Exhibit B.

11. The smell is terrible, and it was not present before the Landfill arrived in Uniontown. I used to live next to where the Landfill currently is located, back before they turned the land into a landfill. There was no odor when I lived in that area.

12. When I pass the Landfill, I see that the trash isn't covered.

13. I am the president of the Black Belt Citizens for Health & Justice ("Black Belt Citizens"). I have served as the president for more than a year. I have been with Black Belt Citizens for approximately 5 years, when I joined as a member. I also served as Secretary.

14. I was also a member of Concerned Citizens, a group of people in the community who raised concerns about the landfill before it opened.

Membership in Black Belt Citizens

15. When I first heard of the Landfill coming to Uniontown, my understanding was that the proposal was to build a place to put local trash. Then I heard talk about the Landfill taking garbage from 17 counties, and then from 32 states. At some point, I heard about the Landfill taking coal ash, which is why I went to Concerned Citizens. My involvement in Concerned Citizens and then Black Belt Citizens helped me speak out about things that affect me, my family, my neighbors, and the people in Uniontown. Early on, in July of 2011, I went with Mary Schaeffer to a public hearing held by the Arkansas Department of Emergency Management ("ADEM") in Montgomery to speak about the Landfill. I raised concerns about the health of people and residents on County Road 1. I mentioned that the area near the Landfill had wild animals and that there are farms nearby. I talked about how we have to travel hundreds of miles for health care, and that most people in the area have limited incomes. I asked for someone to come to Uniontown and do tests, and to answer questions about whether what goes in the Landfill is hazardous.

16. Then I also traveled to U.S. Environmental Protection Agency Region 4 ("EPA") in Atlanta to speak out about the Landfill. I participated in a hearing in Uniontown with EPA about the Landfill and the decision to move coal ash from Kingston, Tennessee to our community. The district attorney in Selma also came

and I attended his meeting with members of the community. We have had hearing after hearing, and it seems that no one will listen. I spoke with ADEM and pled with them to come and see where people live, right across the street from the Landfill.

About Black Belt Citizens

17. Black Belt Citizens is a local grassroots-led organization made up of community members who are working to fight environmental injustice. We are concerned about health and environmental issues affecting our daily lives, and we actively pursue remedies to the threats posed by both the Arrowhead Landfill and the city's overburdened and dysfunctional wastewater treatment system. We are dedicated to making our city and area a better place to live for all of our citizens.

18. Our goals are to rid Uniontown of the coal ash; close the Landfill; educate citizens about how to protect themselves and avoid contaminants; ensure that residents receive comprehensive medical evaluations for levels of toxic chemicals and other problems related to the Landfill; have an independent group regularly test the water, air, and soil for contaminants; and also regularly test livestock, catfish, home gardens, and other agricultural products.

19. We started with at least 30 members, and we have learned over time to speak out for the people who can't speak out for themselves. We also learned to speak to government and the media.

20. Through my involvement in Black Belt Citizens, I have learned how important it is to speak up and to stick together. I have realized that sometimes we don't get heard, but we'll never be heard if we don't speak out on these issues.

Impacts on My Health and Well-Being, and the Health and Well-Being of My Family

21. I am only years old, but I have neuropathy. I first noticed it when I got in the tub one day in November, 2013. I put in my right leg and then put the left leg in, but I didn't feel the water. I feel pain, which feels at times like fire, up to the hip. I went to a doctor at the University of Alabama at Birmingham, hours away, and he sent me to a neurologist. The neurologist said that I am likely to have this pain in both legs. I am not diabetic and this disease does not run in my family. The neurologist, Dr. Fritz, said that it may be caused by lead and it is not going to get better. I received medicine to stop the burning. I still take the medicine every day for my legs.

22. Before the leg problem started, I had tingling from my right arm to my shoulder. I went to the emergency room for this. The doctor prescribed some exercises for the tingling, which I did, and I wore a sling. Fortunately, my arm got better.

23. Others in Uniontown have the same problems, either with their legs or arms. I know of at least two other people nearby with neuropathy in the legs. Ms. Milton, an year old woman, has similar tingling in her arm. I help Ms. Milton

with gardening in her indoor flower garden. She lives near the Landfill on Shaw Road.

24. I also developed a sleeping disorder in the last few years. I stop breathing at night. My doctor advised me that I need to take a test but it requires a \$150 down payment and I have not been able to afford the cost.

25. I also have a blood pressure problem, and I take 3 blood pressure pills every day. These include Ex. 6 - Personal Privacy, Ex. 6 - Personal Privacy, and a third medicine.

26. When my son Jamaris lived with me, he had some health issues, including a constant cold.

27. Tim has headaches and allergic or environmental problems such as a constant runny nose and respiratory problems.

28. As a result of ADEM's failure to adequately evaluate the impact of Arrowhead Landfill on the health and well-being of Uniontown's residents and the environment, and its failure to attach appropriate permit conditions on the operation of the facility, the permit leaves the adjacent cemetery completely without protection. See Exhibit C[A] (proximity of cemetery to Landfill).

29. This is a black cemetery. Only black people were buried in this cemetery.

30. My brother, Robert Albert Hudson, died at the age of 2 and is buried at the cemetery adjacent to the Landfill.

31. My great grandparents, the grandparents of my father, Albert and Annie Hudson, are buried in the cemetery adjacent to the Landfill.

32. My cousin Annie Mae Shears is also buried in the cemetery adjacent to the Landfill.

33. When the Landfill was first allowed to open, it is my understanding that the original owners or operators promised to beautify the cemetery, which they failed to do.

34. Instead, the cemetery and some of the graves have been disturbed. I used to visit the graves. My family members had no stone markers but were buried near a pine tree, which was removed. The bushes are all grown in on the graves. I have recently been to the cemetery to visit and can no longer find the graves of my family members. The fact that this cemetery has been disturbed causes me great distress.

Community Health Impacts

35. Given my many years in Uniontown, I know many people in the community, and I also have family here – parents, my sister, cousins, and others.

36. My neighbors, fellow community members, and family members have experienced increases in kidney problems, blood pressure, sleep apnea, skin conditions, asthma, neuropathy, and other health problems over the last few years and to the present. Every day it seems like the health of the community gets

worse. These health problems may be the result of the impact of pollution from the Landfill, and particularly the coal ash, in addition to exposure to other sources of contamination over time, but the failure to require stricter protections of our health in the Landfill's permit is part of the problem.

37. My understanding is that ADEM has done no testing to find out if these health issues in the community may be related to the Landfill.

38. My friend Della Dial recently passed away. She lived directly across from the Landfill. Once the Landfill was operating, she had rats in her trailer and was unable to get rid of them. She did not have this problem before the Landfill arrived. She couldn't sit outside and get fresh air because of the smell and flies. She couldn't stand the smell. One time she was sitting at the porch and passed out. She had nowhere else to go and couldn't move. Even now, you can see coal ash on the side of her home. In the last years of her life she had many of the same health problems that other people in this community are having.

39. Recently, another member of the community, Mr. Polk, passed away. He used to sit on the porch and breathed in the coal ash and other air pollution from the Landfill. He began to have breathing problems which, to my knowledge, he didn't have before the Landfill came to town. The permit did not adequately protect his health.

40. For many people who live near the Landfill, their land has been in their family for years. This land is their homestead. They have returned here to retire, for fresh air, and to have a place, a clean place, for their grandchildren. Living on a piece of land in the country was a point of pride for many in the community.

41. My parents and the parents and grandparents of my neighbors worked hard for their land, and they tried to leave property to their children.

42. The Landfill and ADEM's failure to protect the community have taken away people's ability to relax and enjoy their hard-earned homesteads. They can no longer drink the water or sit on their porch without fear. They can no longer let their grandchildren play in the yard without fear. The smell, the pollution, and the fear affect all aspects of life – whether we can eat from our gardens, hang our clothes, or spend time outside. This isn't right.

43. Living near the Landfill and the mountain of coal ash also is a source of stress. Everyone here is family, and we know that the impact of the Landfill will affect all of us sooner or later. Trains came by my house, and we've experienced an increase in both dust and flies. I talk to people every day who are sick.

44. The impact is all the worse because people have no money here. I graduated from high school, but this is a poor and undereducated neighborhood. ADEM should have been doing its job by protecting our health.

45. For people on a fixed income, having to get an air conditioner and sit inside costs a lot. The electricity bill is a big part of their paycheck. It's an impact. Buying bottled water costs a lot. It's also an impact.

46. What about the people whose parents spent their hard-earned money to buy this land and moved home to retire? They now have coal ash and property that isn't worth anything. They can't sell it or leave it to their kids. I picked cotton, and I know it's hard to get this property.

47. When we have a health problem in this community, it's also not easy to get care. To see a specialist, we might have to go hours away to Birmingham, which is expensive and time consuming. The community now has serious problems – kids have frequent nosebleeds, older people have kidney problems. This didn't happen until recently, and it's taking its toll.

48. I have continuing concerns about ADEM's lack of oversight of the Landfill, not only because of the arrival of coal ash in the past and the continuing effects of that coal ash, but also because I don't know what is going into the Landfill today and have no assurance that there won't be more coal ash, especially with coal plants closing down and the government wanting to find places for coal

ash. We worry that the Landfill could be accepting other hazards to our health. I want ADEM to do its job.

49. I believe that this Landfill and the coal ash in the Landfill were put here without consideration of the health of the community because it is a poor black neighborhood and decision-makers thought that people would be afraid to speak up. I also believe the re-permitting and the modification was done without any protections, for the same reason. Even if people did speak up, they wouldn't be heard. I also have concerns that corruption of our local public officials is involved. So no one protects us.

50. I am concerned that county and state officials will allow more coal ash to come to Uniontown. Even basics, such as a fence around the perimeter of the landfill, are lacking, and there aren't protections for people's health and our children. Wildlife, dogs and even little children can wind up on the landfill property.

51. This community operates like it was America in the 1950s. I don't want my older sons to stay in Uniontown because of how they are treated.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed in Uniontown, Alabama on February 2015

Esther Calhoun
Esther Calhoun

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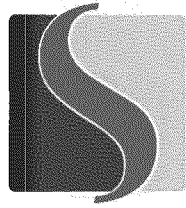


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EXHIBIT 1

MICHAEL D. SMITH
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November 19, 2015

Ms. Mary Schaeffer, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Ms. Ellis Long, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Ms. Esther Calhoun, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Mr. Ben Eaton, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Re: *Black Belt Citizens Fighting for Health & Justice*
Facebook Page

Ladies and Mr. Eaton:

As you are all aware, I represent Green Group Holdings, LLC ("Green Group Holdings"), the ultimate owner of Arrowhead Landfill in Perry County, Alabama.

It has come to our attention that over the past several weeks, the Facebook page administered by *Black Belt Citizens Fighting for Health & Justice* has published the following statements regarding Arrowhead Landfill:

November 18, 2015: Continued onslaught, pollution, exploitation, & crimes against our Black community; unpermitted discharges leaving from ***toxic Arrowhead Landfill*** & destroying property values; increasing health threats, stress, & violence; these oppressive actions cause poverty & discrimination. The ***Arrowhead Landfill is also desecrating the nearby Black cemetery***. Esther Calhoun, President of Black Belt Citizens, says "I feel like I'm in prison, we're ***suffocated by toxic pollution*** & extreme poverty. Where are my freedoms? This is an environmental injustice & it's happening in Uniontown & everywhere" (Emphasis added.)

November 13, 2015: Uniontown residents continue to be upset over the actions of the Arrowhead Landfill, over the past 3 days there has been another unpermitted

Misses Schaeffer, Long.
Calhoun and Mr. Eaton
November 19, 2015
Page 2

(illegal) discharge leaving ***Green Group Holdings toxic landfill***. This has been occurring for years and ADEM has never enforced their permit limits to stop this problem. The majority of the ***residents around the landfill are worried about their water, air, property values, families' health, and the nearby sacred cemetery that is also being desecrated by the landfill***. (Emphasis added.)

November 13, 2015: Black Belt Citizens demand no more coal ash in Uniontown! Black Belt Citizens demand ADEM and EPA enforce their laws to prevent further discrimination against the community. ***The landfill is poisoning our homes and destroying our Black cemetery (sic)***. THIS IS ENVIRONMENTAL INJUSTICE! Where's our justice? (Emphasis added.)

November 2, 2015: Coal ash landfills, like ***Arrowhead Landfill, continue to leak toxins into rivers, streams, and groundwater***, potentially affecting the quality of drinking water. This toxic waste effects everyone, please watch this short film about the problems at Arrowhead. (Emphasis added.)

October 23, 2015: Arrowhead Landfill and its owners, ***Green Group Holdings, neglects laws, peoples' rights, and our culture. First, corruption and unlawful actions get the landfill here***. Then, 4 million tons of coal ash and garbage from 33 states. Now, Arrowhead landfill and ***Green Group Holdings are trespassing and desecrating a black cemetery***. Black lives matter! Black ancestors matter! (Emphasis added.)

We have likewise discovered that a similar statement can be found on your website "Projects" page at <http://blackbeltcitizens.wix.com/blackbeltcitizens#!projects/c21kz> where the following statement regarding Arrowhead Landfill is made:

Arrowhead Landfill, located on south Perry County Road 1 near Uniontown, Alabama, ***poses a serious health and environmental threat*** to our area. ***Built on an unsuitable site*** over our aquifer, it now contains almost 4 million tons of ***toxic coal ash*** from the Kingston TN spill. Stormwater run-off and ***deliberate discharges from the landfill reveal high levels of arsenic*** which, along with ***toxic dust and noxious odors***, are impacting residents, their livestock, and the garden produce on which they depend.

These four posts and statement, and particularly the highlighted language, are published without any factual basis. As I am sure you can understand, we view the above posts and statement to be false, defamatory, misleading and damaging. We have referred this matter to our corporate

Misses Schaeffer, Long,
Calhoun and Mr. Eaton
November 19, 2015
Page 3

attorneys for review and to evaluate the appropriate legal action to be taken in response to your unfounded and reckless statements.

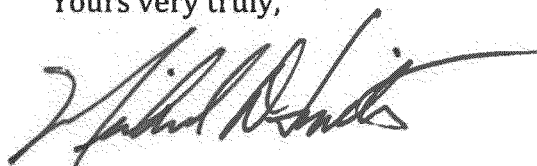
Given the nature of the posting via electronic media, we would request that you immediately delete these four posts from your Facebook page and affirmatively state that the references to Green Group Holdings and Arrowhead Landfill in your prior posts were false and misleading. We also request that you immediately cease and desist from making false, erroneous statements about Green Group Holdings and Arrowhead Landfill.

It is imperative we get an understanding from you and your affiliates that you (and they) will comply with this most reasonable request. Please confirm this to me in writing, within five (5) calendar days of the date of this letter. Otherwise, I shall forward the fact of your non-compliance to our corporate attorneys in order that they might consider your actions (or failure to act) as they evaluate the courses of action best suited to protect my clients' interests.

Further, consider yourselves put on **notice to preserve all documents** as broadly defined in Rule 34 of the *Federal Rules of Civil Procedure*, including all electronically stored documents and emails in your possession, custody or control, regardless of origin, author or source, relating to, arising from or disseminating the allegations made by you and quoted above or evidencing any cooperation, coordination and/or collaboration.

Please give this matter your immediate attention and feel free to contact me should you have any questions about anything contained herein. Your reply should be directed to me at the address in the above letterhead.

Yours very truly,

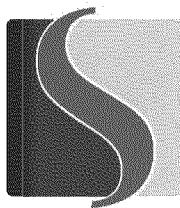
A handwritten signature in black ink, appearing to read "Michael D. Smith", with a long, sweeping horizontal line extending to the right.

Michael D. Smith

MDS/

EXHIBIT →

MICHAEL D. SMITH
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(205) 409-3144

SMITH & STAGGS, LLP
701 22ND AVENUE, SUITE 1
TUSCALOOSA, AL 35401

WRITER'S EMAIL:
MSMITH@SMITHSTAGGS.COM

March 10, 2016

Ms. Mary Schaeffer, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Ms. Ellis Long, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Ms. Esther Calhoun, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Mr. Ben Eaton, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Re: *Black Belt Citizens Fighting for Health & Justice*
Facebook Page

Ladies and Mr. Eaton:

As you are all aware, I represent Green Group Holdings, LLC ("Green Group Holdings"), the ultimate owner of Arrowhead Landfill in Perry County, Alabama.

On November 19, 2015, I notified you that several statements had appeared on the Facebook page administered by *Black Belt Citizens Fighting for Health & Justice*, which were regarded as publication of libelous statements. We further advised you that the publication of those statements had been made without any factual basis and were considered to be to be false, defamatory, misleading and damaging. We went on to demand that you immediately delete these four posts from your Facebook page and affirmatively state that the references to Green Group Holdings and Arrowhead Landfill in your prior posts were false and misleading. We also demanded that you immediately cease and desist from making false, erroneous statements about Green Group Holdings and Arrowhead Landfill.

Since that time, you have continued to make such libelous, false, defamatory, misleading and damaging statements. Examples of those statements follow:

November 20, 2015:

Pictures of the New Hope Cemetery, neighbor of Arrowhead Landfill. The photos

Misses Schaeffer, Long,
Calhoun and Mr. Eaton
March 10, 2016
Page 2

are of possible trespass and recent bulldozing done by the landfill, some of the graves are unable to be located, family members are upset over their **sacred space being violated, damaged, & desecrated**.

Arrowhead Landfill is on the site of an older plantation. The New Hope Cemetery is the final resting place of former workers, indentured servants, and slaves of the plantation.

Recent actions by the landfill and improper enforcement from the state constantly remind Uniontown's residents of their past life full of violence, hate, & oppression. (Emphasis added.)

December 5, 2015:

"We are tired of being taken advantage of in this community." said Uniontown resident Benjamin Eaton, who is a member of the group Black Belt Citizens Fighting for Health and Justice. "The living around here can't rest because of the **toxic material** from the coal ash **leaking into creeks and contaminating the environment**, and the deceased can't rest because of **desecration of their resting place**." (Emphasis added.)

January 11, 2016:

Multiple pollution sources impact residents including Arrowhead Landfill which stores over 4 million tons of toxic coal ash. This **landfill is experiencing unpermitted amounts of water runoff leaving its site and entering neighboring property**. Also, the landfill may have committed **illegal trespass & desecration of an adjacent Black cemetery**. The owners of this landfill, **Green Group Holdings, own and operate many extreme landfills around the US**.

...

This event is created to unite citizens across Perry County and Uniontown, Alabama's Black Belt, and the Southeast US to accomplish the following:

...

- Identify communities' needs against environmental injustices including **illegal pollution**, coal ash, corporate interests for **toxic landfills**, and **"extreme energy waste sites"** (Emphasis added.)

January 14, 2016:

Join us this Saturday in Uniontown for Building Bridges for Justice as we focus on the **toxic, 4 million tons of coal ash** sitting in the Arrowhead Landfill. The **landfill's pollution problems are influencing the decrease of property values while increasing health concerns**. This extremely large landfill owned by Green Group Holdings has been reportedly **trespassing and desecrating a nearby Black**

Misses Schaeffer, Long,
Calhoun and Mr. Eaton
March 10, 2016
Page 3

Cemetery. These impacts are very discriminatory and we feel our civil rights are being violated by environmental racism at all levels. (Emphasis added.)

February 25, 2016:

"Its a landfill, its a tall mountain of coal ash and it has affected us. **It affected our everyday life.** It really has done a lot to our freedom. **Its another impact of slavery.** ...Cause we are in a black residence, things change? And you can't walk outside. And **you can not breathe. I mean, you are in like prison.** I mean, its like **all your freedom is gone.**

As a black woman, our voices are not heard. EPA hasn't listened and ADEM has not listened. Whether you are white or black, rich or poor, it should still matter and **we all should have the right to clean air and clean water.** I want to see EPA do their job."

Powerful words from our President Esther Calhoun. (Emphasis added.)

March 1, 2016:

The **toxic Arrowhead Landfill** continues to hurt/violate/oppress the community with the **desecration of the adjacent cemetery, the constant run-off of contaminated water, the bad odors and smells, and the depression of property value.**

Watch this small video by Black Belt Citizens member Timothy Black as he records run-off at **toxic Arrowhead.** Black Belt Citizens stand with all communities impacted by toxic coal ash and extreme energy wastes. We stand united with all communities suffering from oppressive and discriminatory policies and practices. We stand with all people who fight for health and justice. (Emphasis added.)

This is your final notice. Demand is hereby made that you **immediately delete** the four posts from your Facebook page which were the subject of our November 19, 2015 letter - as well as those Facebook posts listed above - and **affirmatively state** on that page that they have been deleted and that the references to Green Group Holdings and Arrowhead Landfill in all deleted posts were false and misleading. We also request that you immediately cease and desist from making further libelous, false, erroneous and damaging statements about Green Group Holdings and Arrowhead Landfill. It is imperative we get a clear understanding from you and your affiliates that you (and they) will comply with this most reasonable request. Please confirm this to me in writing, within five (5) calendar days of the date of this letter. If you fail to comply with this demand, our clients will take the course of action best suited to protect their interests.

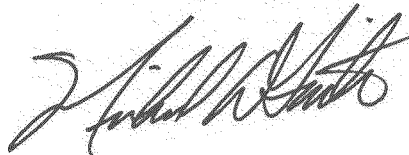
Further, consider yourselves put again have been placed on **notice to preserve all documents** as broadly defined in Rule 34 of the *Federal Rules of Civil Procedure*, including all electronically stored documents and emails in your possession, custody or control, regardless of

Misses Schaeffer, Long,
Calhoun and Mr. Eaton
March 10, 2016
Page 4

origin, author or source, relating to, arising from or disseminating the allegations made by you and quoted above or evidencing any cooperation, coordination and/or collaboration.

Please give this matter your immediate attention and feel free to contact me should you have any questions about anything contained herein. Your reply should be directed to me at the street or electronic address in the above letterhead.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Michael D. Smith", written in a cursive style.

Michael D. Smith

MDS/

EXHIBIT ←

Marianne Engelman Lado

Subject: FW: Black Belt Citizens Fighting for Health & Justice

From: Mary Schaeffer <[Ex. 6 - Personal Privacy]>
Sent: Tuesday, March 15, 2016 4:22 PM
To: 'Michael Smith' <msmith@smithstaggs.com>; 'Ellis Long' <[Ex. 6 - Personal Privacy]>; 'Esther Calhoun' <[Ex. 6 - Personal Privacy]>; 'Ben Eaton' <[Ex. 6 - Personal Privacy]>
Cc: 'Ernest Kaufmann' <ekaufmann@gghcorp.com>; 'Joy Hammonds' <jhammonds@gghcorp.com>
Subject: RE: Black Belt Citizens Fighting for Health & Justice

Mr. Smith:

We have received your letter dated March 10, 2016. The posts in question were written and posted on our Facebook page without the prior knowledge or approval of the four officers of Black Belt Citizens Fighting for Health and Justice. These posts are no longer visible on our Facebook page.

We are consulting with our attorneys regarding your requests. We or they will respond to you as soon as possible.

Sincerely,

Mary Schaeffer and Ellis Long

From: Michael Smith <[Ex. 6 - Personal Privacy]>
Sent: Thursday, March 10, 2016 4:57 PM
To: Mary Schaeffer <[Ex. 6 - Personal Privacy]>; Ellis Long <[Ex. 6 - Personal Privacy]>; Esther Calhoun <[Ex. 6 - Personal Privacy]>; Ben Eaton <[Ex. 6 - Personal Privacy]>
Cc: Ernest Kaufmann <ekaufmann@gghcorp.com>; Joy Hammonds <jhammonds@gghcorp.com>
Subject: Re: Black Belt Citizens Fighting for Health & Justice

Please see the attached letter dated March 10, 2015, written on behalf of Arrowhead Landfill and Green Group Holdings, LLC and its affiliates.

Mike Smith

On 11/19/15, 11:20 AM, "Michael Smith" <msmith@smithstaggs.com> wrote:

Please see the attached letter written on behalf of Green Group Holdings, LLC.

Michael D. Smith
Smith & Staggs, LLP
701 22nd Avenue, Suite 1
Tuscaloosa, AL 35401

Telephone 205.409.3140
Facsimile 205.409.3144
msmith@smithstaggs.com

[Ex. 6 - Personal Privacy]

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Thank you.

EXHIBIT

Marianne Engelman Lado

Subject: FW: Black Belt Citizens Fighting for Health & Justice

From: Michael Smith [Ex. 6 - Personal Privacy] L L
Sent: Thursday, March 17, 2016 2:17 PM L
To: Mary Schaeffer [Ex. 6 - Personal Privacy] L
Subject: Re: Black Belt Citizens Fighting for Health & Justice L

Ms. Schaeffer, L L L
L

Thank you for the update. If you are represented or would prefer that I communicate with someone else, please provide L
his/her name and contact information. Otherwise, I will simply suggest topics for discussion. I am also quite interested in L
whether you are speaking for you and your sister, Ben Eaton, Esther Calhoun, Black Belt Citizens Fighting for Health & Justice, L
all of them or some of them. L
L

One of the things I am assuming you are looking for is a complete release from GGH and Arrowhead and some assurance that L
you will not be subjected to litigation. This would come about only as the result of a comprehensive settlement agreement L
that would require significantly more than a simple take down of the libelous material and retraction of those statements. I L
will be happy to discuss that in more detail with you or your counsel, but time is of the essence and we do not wish to wait L
past tomorrow to reach at least an agreement in principle. L L L
L

I am in somewhat a quandary as to how to proceed because you have hinted at being represented but not indicated that you L
actually are. I have already started drafting an outline for such an agreement and a proposed press release. I am reluctant to L
forward those to you and discuss them with you if you are represented by counsel but would be happy to begin that process L
now if you are not. There are ethical limitations placed upon my communication with you if you are represented and hence L
my reluctance to be more specific. L
L

Please let me hear from you or your attorney at the very earliest possible time. L
L

Mike L

Michael D. Smith
Smith & Staggs, LLP
701 22nd Avenue, Suite 1
Tuscaloosa, AL 35401

Telephone 205.409.3140
Facsimile 205.409.3144
msmith@smithstaggs.com

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unauthorized persons, or other use is strictly prohibited. If you have received it by mistake, please notify the sender by reply e-mail
and permanently delete the email from your system.

Thank you.

L

L

L

From: Mary Schaeffer <[Ex. 6 - Personal Privacy]>
Date: Thursday, March 17, 2016 at 1:31 PM
To: Michael Smith <msmith@smithstaggs.com>
Subject: Black Belt Citizens Fighting for Health & Justice

We are seeking the advice of counsel, and we or they will provide a response to your letter as soon as possible once we have discussed the issues with them.

Mary Schaeffer and Ellis Long

From: Michael Smith [<mailto:msmith@smithstaggs.com>]
Sent: Wednesday, March 16, 2016 9:48 AM
To: [Ex. 6 - Personal Privacy]; [Ex. 6 - Personal Privacy]
Cc: [Ex. 6 - Personal Privacy]; [Ex. 6 - Personal Privacy]
Subject: Black Belt Citizens Fighting for Health & Justice

Please see the attached letter written on behalf of Green Group Holdings, LLC.

Michael D. Smith
Smith & Staggs, LLP
701 22nd Avenue, Suite 1
Tuscaloosa, AL 35401

Telephone 205.409.3140
Facsimile 205.409.3144
msmith@smithstaggs.com

[Ex. 6 - Personal Privacy]

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Thank you.

EXHIBIT 10

MICHAEL D. SMITH
CLAY STAGGS
AMANDA MULKEY
JAIME W. CONGER



TELEPHONE
(205) 409-3140
FACSIMILE
(205) 409-3144

SMITH & STAGGS, LLP

701 22ND AVENUE, SUITE 1
TUSCALOOSA, AL 35401

WRITER'S EMAIL:
MSMITH@SMITHSTAGGS.COM

March 16, 2016

Ms. Mary Schaeffer, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Ms. Ellis Long, individually and
as a member and officer of Black Belt
Citizens Fighting for Health and Justice

Ex. 6 - Personal Privacy

Re: *Black Belt Citizens Fighting for Health & Justice
Facebook Page*

Dear Meses. Schaeffer and Long,

Thank you for your email of March 15, 2016. My client and I appreciate your acknowledgement (1) of the nature of the posts that have been taken down and (2) that they were written and posted by others. While it seems you could have taken this step following my letter in November of last year and also put an end to the practice of providing others your platform to publish such falsehoods, we are pleased that you are taking that step now. If you are also speaking for Mr. Eaton and Ms. Calhoun, please confirm that. Your confirming email should include an affirmative statement that you have specific authority from each of them to make that representation or that you have asked that they send me an email similar to your own.

I assume that the conversations you are having with your counsel revolve around the posting of a repudiation of these prior posts as being "false and misleading". I believe that you will find that such is required under the law in order to avoid the imposition of punitive damages but your own counsel can better provide advice on that issue. The five (5) days allowed in my letter of March 10, 2016, has expired, I will expect a repudiation or retraction to be published on or before Friday, March 18, 2016.

While speaking to your attorney, you should raise one additional point that has arisen as a result of your disclosure that the "... posts in question were **written and posted** on our Facebook page **without the prior knowledge or approval of the four officers** of Black Belt Citizens Fighting for Health and Justice." Demand is also made upon you to disclose the identity and contact information for the person or persons who did write and post the libelous material you have now removed from your Facebook page. You and your organization would have been required to authorize such a person to have access to your Facebook account in a manner to make

Mses. Schaeffer and Long
March 16, 2016
Page 2


those posts. We will be making a similar demand of them as has been made on you. If you are unaware of the identity of the specific individual writing and posting this libelous material please provide the names and contact information for all persons having authority to post to your Facebook account on behalf of your organization or with whom you have communicated regarding your Facebook account. This information is the sort of thing we will be asking for in discovery in the litigation that will surely ensue if you fail to comply. Again, please provide this information by Friday of this week.

Pending confirmation that the repudiation or retraction has been satisfactorily made and that the same result has been obtained from those acting on your behalf, please continue to consider yourselves **on notice to preserve all documents** as broadly defined in Rule 34 of the *Federal Rules of Civil Procedure*, including all electronically stored documents and emails in your possession, custody or control, regardless of origin, author or source, relating to, arising from or disseminating the allegations made by you and quoted above or evidencing any cooperation, coordination and/or collaboration.

There is one additional thing I would ask of you beyond the demands already made and this time it is simply a request. I would ask that you remove the block you have made against Arrowhead Landfill posting comments on your Facebook page. We would not abuse this show of good will on your part and will limit our posts to factual information which we can document. This will allow a vehicle for an exchange of information on the various issues that may arise concerning the landfill and its operations. Hopefully that will mark the beginning of an improved relationship leading to a free exchange of information between us. My client is willing to do that if you and your organization are.

Please give this matter your immediate attention and feel free to contact me should you have any questions about anything contained herein. Your reply should be directed to me at the street or electronic address in the above letterhead.

Yours very truly,

A handwritten signature in black ink, appearing to read "Michael D. Smith", written in a cursive style.

Michael D. Smith

MDS/

EXHIBIT 19

**Law Office
DAWSON LAW, LLC.**

William M. Dawson

bill@billdawsonlaw.com

1736 Oxmoor Road
Birmingham, AL 35209

(205) 795-3512
(205) 870-7763 FAX
(205) 201-9005 cell

March 25, 2016

Mr. Michael D. Smith
Smith & Staggs, LLC
701 22nd Avenue, Suite 1
Tuscaloosa, AL 35401

Re: Black Belt Citizens Fighting for Health & Justice

Dear Mr. Smith:

This response is provided jointly for the four individuals to whom you have written claiming defamatory statements against the operation of the Perry County landfill. This is a singular response, as your allegations are primarily directed at a very loose unorganized association, the Black Belt Citizens Fighting for Health and Justice.

The Facebook page, like all others, has been available for any citizens to post comments. I understand that some matters have been removed as a showing of good faith, but none of the four people are responsible for what others may have posted. They have made an effort to comply with your demands, but are not going to make statements which are contrary to their honest beliefs. They have experienced dust and have legitimate concern over damage to groundwater and streams.

As we all are aware, the truth is a defense to claims of libel or defamation. Also, citizens have a constitutional right to express personal opinions voiced in good faith. There are legitimate public issues involved in the movement and storage of millions of tons of coal ash, and these people have the same concerns as the residents of Tennessee and other states which have refused such storage.

I cannot see how a claim can be made that they do not have legitimate concerns over the loss of property values or stress and health issues. There is also an ongoing issue of the desecration of the historical cemetery. They certainly have the right to complain about actions or inactions by ADEM and EPA. There has been an ADEM sanction noted for non-compliance with applicable pre-treatment standards in discharging wastewater in

2015, and there is scientific evidence of highly toxic levels of arsenic in stormwater runoff. Public discourse about these two governmental agencies may well involve mention of the landfill. Water does flow from the landfill, coal ash is toxic and there is a virtual mountain of it now.

My clients do not want to become involved in litigation over past statements, though they would certainly file typical actions for damages, perhaps for themselves and others, should they become embroiled in litigation. I do believe that initiation of a suit against my clients would bring enormously more publicity than what would transpire as a result of the Facebook page.

Rather than the matters remaining in an administrative posture with the governmental agencies, there would be public litigation over any dangers of millions of tons of coal ash, why it always seems to end up in communities like Alabama's Black Belt, why this David and Goliath litigation has been brought, and other related issues. I can certainly envision involvement by environmental groups, public interest organizations, and the *pro bono* efforts of some major law firms. In addition, both local and national media would likely consider the matter quite newsworthy. It may be that Perry County could become the focal point for national discussion of what to do with residue from coal burning power plants. I have been rather amazed at the national media exposure we have received following our litigation against the private probation industry here.

Having dealt with my clients, you are likely aware of the fragile nature of their present circumstances. They are hardly ideal targets for a damage action, and the inference can be made that any litigation would have other purposes. Establishing damage would allow broad discovery as to assets, income and expenses, as well as consideration of any other factors which might have affected the perception of the coal ash industry in a negative way.

We are prepared to defend any libel or defamation action against these four individuals, but would hope that such does not become necessary. You have acknowledged their actions in removing some items from the Facebook page. They certainly cannot control what others in the community might do or say, but will keep any comments within the confines of proper discussion.

Sincerely,

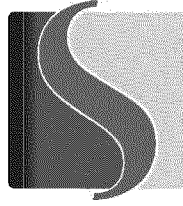
A handwritten signature in black ink, appearing to read "Bill Dawson". The signature is fluid and cursive, with the first name "Bill" and last name "Dawson" clearly distinguishable.

William M. Dawson

WMD/hs

EXHIBIT 1[⊥]

MICHAEL D. SMITH
CLAY STAGGS
AMANDA MULKEY
JAIME W. CONGER



SMITH & STAGGS, LLP
701 22ND AVENUE, SUITE 1
TUSCALOOSA, AL 35401

TELEPHONE
(205) 409-3140
FACSIMILE
(205) 409-3144

WRITER'S EMAIL:
MSMITH@SMITHSTAGGS.COM

March 30, 2016

Sent via electronic mail to: bill@billdawsonlaw.com

Mr. William M. Dawson, Esq.
DAWSON LAW, LLC
1736 Oxmoor Road
Birmingham, AL 35209

Re: *Green Group Holdings, LLC, et al. vs. Mary B. Schaeffer, et al.*
Our file no.: 44133.0025

Dear Mr. Dawson:

Thank you for your letter of March 25, 2016.

While Black Belt Citizens Fighting for Health and Justice ("Black Belt") may have been portrayed to you as a loose, unorganized organization, the facts would not appear to support that assertion. This organization has officers (your clients), an online presence through both a website and their Facebook page, has sought and obtained the opportunity to have its representatives testify before the United States Commission on Civil Rights, is purportedly seeking 501(c)(3) status and organizes/hosts events on a regular basis on a variety of topics but most notably regarding Arrowhead Landfill.

Facebook has rules that govern the postings on sites sponsored by non profit organizations such as Black Belt. Postings by the organization, such as those my client has complained of, can only be made by an administrator and an administrator must be given that authority by those who have created the page, i.e. the organization. Let me be clear the only posts which my clients are challenging are those made by the administrator on behalf of Black Belt as opposed to the "comments" posted by strangers to the organization.

The posts complained of are not simply "personal opinions voiced in good faith" related to "legitimate public issues", my clients would welcome such discourse from anyone. Rather, they allege the intentional, improper disposal of hazardous or toxic waste, a poisoning of the

Mr. William M. Dawson, Esq.
March 30, 2016
Page 2

environment and desecration of a cemetery, all felonies in Alabama and all amounting to libel *per se* in this state. They also invoke images of slavery in depicting the relationship between the community and my client.

Truth is a defense to libel, however, in this instance the truth is that there is no evidence that Green Group or Arrowhead have done any of the things alleged by your clients. There are tens of thousands of pages of independent testing and CQA reports documenting that there has, in fact, been no release of any toxic or hazardous material by my clients into the air, groundwater or surface water and the proper construction and operation of the landfill. There is not one shred of evidence to the contrary. As for any tests done by Betsy Dobbins, ADEM evaluated the data she provided and responded to her as follows:

“The additional information provided by you was reviewed by the Department’s Water Quality program and they have indicated no definitive conclusions could be drawn based on the information provided. Should you have additional data, including methodology and quality control/quality assurance procedures utilized, the Department would be interested in receiving it.”

Dr. Dobbins apparently agreed as in her follow up to ADEM she said:

“I would be **surprised and rather dismayed** if you took my data as a basis for any specific action, and would hope that the water division might follow up on its own.

“When I have more complete information, I would be happy to share it.” (Emphasis added.)

That was September 8, 2014, and she has to date provided nothing more.

My clients are seeking many forms of bulk waste streams for disposal at Arrowhead, including coal ash. They are also seeking approval of permits to build and/or operate disposal facilities in other states. The statements by your clients are widely distributed and re-published through the webpages, Facebook pages and twitter accounts of others who are opposed to coal mining, coal combustion, coal ash, Green Group’s various permit applications or are in competition with Green Group. Had your clients limited themselves to “personal opinions voiced in good faith” related to “legitimate public issues”, there would be nothing inflammatory, sensational or dramatic enough to be deemed newsworthy and my clients may not have been damaged. As a result of the false, malicious, sensational and libelous postings and statements that were made, my clients compensatory damages have soared into the millions of dollars.

Attached are a draft Retraction and Press Release and a draft Settlement Agreement with your clients. These represent an offer of settlement and compromise and should be maintained as

Mr. William M. Dawson, Esq.
March 30, 2016
Page 3

confidential. Please review them with your clients¹ and advise their response by the close of business on Friday, April 1, 2016. We will consider accepting these terms from less than all of the potential defendants.

Yours very truly,

A handwritten signature in black ink, appearing to read "Michael D. Smith", with a stylized, cursive script.

Michael D. Smith

MDS/
Attachments as noted

¹ Among your clients, the “administrator” [or the one or more administrator(s) or person(s) most directly involved with the administrator(s)] may be more culpable than the others and thereby have interests in conflict with the remaining officers requiring separate counsel for the less culpable persons.

PRESS RELEASE and RETRACTION
Black Belt Citizens Fighting for Health & Justice

You may have noticed that several articles previously posted on the *Black Belt Citizens Fighting for Health & Justice* Facebook Page have been removed recently. They were removed because they and their content were false and misleading with respect to Arrowhead Landfill and its owner, Green Group Holdings, LLC (“Green Group”).

Among other things, the posts that were taken down alleged that Green Group and/or Arrowhead Landfill:

- ☐ operated as a toxic landfill;
- ☐ was poisoning the Uniontown community;
- ☐ operated in a manner that was injurious to the community’s health;
- ☐ had trespassed upon and desecrated the historic New Hope Church Cemetery;
- ☐ continues to leak toxins into rivers, streams and groundwater;
- ☐ deliberately discharged water from the landfill property into streams and across its neighbors’ property that contained high levels of arsenic;
- ☐ is built on an unsuitable site;
- ☐ poses a serious health and environmental threat to the Uniontown community;
- ☐ is operated in a corrupt manner;
- ☐ is the equivalent of modern day slave owners; and,
- ☐ acted so as to falsely imprison its neighbors by denying them clean air and water.

We have no specific knowledge or verifiable evidence that any of these allegations are true and it was reckless to allow such inflammatory and unsubstantiated postings on the website.

When we saw these allegations posted on the Facebook page, we knew there was no evidence that any of them were true and in fact we knew most of them were false. Because we acted recklessly and allowed others from outside our community and with their own agenda to act as administrators of our Facebook account, they published the material without our consent or knowledge. Even as we recognized the misrepresentations and we were being falsely quoted, we did nothing to stop the false and misleading nature of their posts, or limit their access to the Facebook page until now.

We could have taken this action when demand was first made on us by Green Group in November of last year but we did not. Three additional months of continued defamatory and damaging posts were allowed to occur and for that we are sorry. The statements we allowed to be posted on Facebook utilizing our name and platform were false, misleading, defamatory and damaging to Green Group as they attempted to conduct a legal business in our community. They have suffered greatly because of our actions and failure to act, and we admit our wrongdoing and offer Green Group, Arrowhead Landfill, and all affiliated with them our sincerest apologies.

Green Group has been an excellent corporate citizen since purchasing the landfill in December of 2011. They have participated in school supply and support programs, job fairs, cleaned up public parks, provided meals and Christmas gifts to the elderly, purchased a sound system for the high school gymnasium, purchased computers for our police department, and worked to clean up

(as opposed to desecrating) and assure perpetual care for the historic New Hope Church Cemetery located adjacent to the landfill.

GENERAL RELEASE AND SETTLEMENT AGREEMENT

This General Release and Settlement Agreement ("Agreement") is effective the date on which this Agreement has been fully executed by all parties, by and between Green Group Holdings, LLC, a Georgia limited liability company ("GGH") and Howling Coyote, LLC, a Georgia limited liability company ("HC") (collectively "Plaintiffs") on one hand, and Mary B. Schaeffer, Ellis B. Long, Benjamin Eaton and Esther Calhoun (collectively the "Defendants"), on the other hand (collectively, "the Parties").

WHEREAS, on November 19, 2015, Defendants were placed on notice that Plaintiffs deemed certain posts made to the Facebook page of Black Belt Citizens Fighting for Health and Justice ("Black Belt"), an unincorporated association, composed of Defendants, both of whom served as officers, and others, to be libelous in that they were false, defamatory, misleading and damaging to Plaintiffs; and

WHEREAS, on March 10, 2016, Defendants were again placed on notice that Plaintiffs deemed certain additional posts made between November 19, 2015 and March 10, 2016 to the Facebook page of Black Belt Citizens Fighting for Health and Justice ("Black Belt"), an unincorporated association, composed of Defendants, both of whom served as officers, and others, to be libelous in that they were false, defamatory, misleading and damaging to Plaintiffs; and

WHEREAS, in each of said letters demand was made that the libelous posts be taken down and a retraction published; and

WHEREAS, the Parties now desire to resolve fully and finally any and all disputes between Plaintiffs and Defendants, known and unknown, accrued and unaccrued, existing up to and including the date on which this Agreement is fully executed by the Parties;

The Parties hereby knowingly, willingly, voluntarily, freely, with the advice of counsel and without any coercion enter into and agree to the following Agreement:

1. In consideration of the provisions and requirements of this Agreement and the further sum of One Hundred and no/100 DOLLARS (\$100.00) in hand paid, the sufficiency of which is hereby acknowledged, Plaintiffs do hereby irrevocably and unconditionally release Defendants from any and all causes of action, demands or claims, known or unknown, accrued or unaccrued, arising out of or relating in any manner whatsoever to their false, misleading, inflammatory and libelous statements made or recklessly allowed to be published by Defendants concerning Plaintiffs and/or Arrowhead Landfill which Plaintiffs have presently or may have in the future arising out of any facts or events which took place on or prior to the date this Agreement is fully executed by the Parties, including, but not limited to, any and all claims, known or unknown, accrued or unaccrued, arising out of or relating to any alleged injuries sustained by Plaintiffs as a result of the false, misleading, inflammatory and libelous statements made or recklessly allowed to be published by Defendants concerning Plaintiffs and/or Arrowhead Landfill, which could have been asserted by Plaintiffs against the Defendants. This is

General Release and Settlement Agreement

Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

a complete, final, full, absolute and unconditional release of any and all claims Plaintiffs have or may have against Defendants arising out of or relating in any manner whatsoever to the false, misleading, inflammatory and libelous statements made or recklessly allowed to be published by Defendants concerning Plaintiffs and/or Arrowhead Landfill, up to and including the date this Agreement is fully executed by the Parties.

2. In consideration of the provisions and requirements of this Agreement and the further sum of One Hundred and no/100 DOLLARS (\$100.00) in hand paid, the sufficiency of which is hereby acknowledged, Defendants do hereby irrevocably and unconditionally release Plaintiffs (and all of Plaintiffs' past and present officers, directors, employees, attorneys, and agents; successors, assigns, shareholders, members, owners and insurers; and all parent, subsidiary and affiliate corporations, and regulators, including but not limited to USEPA, ADEM, TDEC and the U. S. Army Corps of Engineers) from any and all causes of action, demands or claims, known or unknown, accrued or unaccrued, arising out of or relating in any manner whatsoever to Arrowhead Landfill or its permitting, design, construction and operation which Plaintiffs have presently or may have in the future arising out of any facts or events which took place on or prior to the date this Agreement is fully executed by the Parties, including, but not limited to, any and all claims, known or unknown, accrued or unaccrued, arising out of or relating to any alleged injuries sustained by Defendants as a result of Arrowhead Landfill or its permitting, design, construction and operation, which could be asserted by Defendants against the Plaintiffs. This is a complete, final, full, absolute and unconditional release of any and all claims Defendants have or may have against Plaintiffs arising out of or relating in any manner whatsoever to Arrowhead Landfill or its permitting, design, construction and operation, up to and including the date this Agreement is fully executed by the Parties.

3. As a principal part of the consideration flowing from Defendants to Plaintiffs under this Agreement, Defendants agree that:

- a) Defendants will publish on the Facebook page of Black Belt the "Press Release and Retraction", attached hereto as Exhibit A and made a part hereof by this reference. The publication will be made in such a way that it will present as pinned to the top of the Black Belt Facebook page for a period of not less than two (2) years. Defendants shall provide Plaintiffs with ten (10) copies of the Press Release and Retraction each bearing the original signature of each of the defendants and Plaintiffs shall be free to use these documents and copies of them in any way they deem fit and proper.
- b) Defendants will, contemporaneous to the execution of this Agreement, provide Plaintiffs with a complete list of all persons (and their contact information) having, whether now or at any time in the past, authority to post as an administrator on Black Belt's Facebook page.

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Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

- c) Defendants will, within seven (7) days of the execution of this Agreement, provide Plaintiffs with documented proof that they are now the sole persons with authority to post as an administrator on Black Belt's Facebook page.
- d) Defendants will not grant authority to any third party outside the officers of Black Belt living in Perry County, Alabama, to post as an administrator on Black Belt's Facebook page.
- e) Defendants will cause to be withdrawn or removed any blocking mechanism or other designation prohibiting Plaintiffs or its subsidiary and affiliate companies or their respective agents, attorneys, contractors or employees, or Arrowhead Landfill, from posting on any social media site with which they are affiliated in any way, including, but not by way of limitation, the Black Belt Facebook page
- f) Defendants will, within thirty (30) days grant free access to forensic experts employed by Plaintiffs to their computers, tablets and hand held devices, including the provision of all necessary passcodes or other protective information to the extent necessary to retrieve all email, text messages, or other forms of electronic communications and any data of any sort on social media in any manner related to persons identified above as having administrative access to Black Belt's Facebook account, Plaintiffs, Arrowhead Landfill, coal ash, coal fired generation of electricity, any project owned or operated by Plaintiffs, any permit application in any state of the United States, persons opposing such permit applications, environmental concerns of any kind and any anticipated, pending or past local, state or federal, legal or administrative actions related to Arrowhead Landfill or arising in any way from any environmental concern alleged to have been caused, or contributed to, by Arrowhead Landfill. Such access will be allowed until the Plaintiffs experts have been satisfied that all such information has been retrieved.
- g) Defendants will provide free access to Plaintiffs of all of the financial books and records of Black Belt.
- h) Defendants submit to an examination by Plaintiffs, to be taken under oath before a court reporter, on the topics identified in items (b), (e) and (f) above, and in addition thereto, the following topics to the extent not already identified:
 - i. The false, misleading, inflammatory and libelous statements referenced above.
 - ii. Interaction and communication with various environmental groups.
 - iii. Interaction and communication with various groups opposing landfill permits sought by Green Group Holdings, LLC ("GGH") and/or its subsidiary or affiliated companies whether in Alabama or any other state.
 - iv. Interaction and communication with various persons or companies involved in any respect in the coal ash disposal business.

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- v. Interaction and communication with various persons or companies involved in any respect in the waste disposal business.
 - vi. Interaction and communication with various persons or companies involved in any respect in the generation of electric power.
 - vii. Interaction and communication with various persons or companies related to, or arising in any way from, the appearance of Esther Calhoun before the U.S. Commission on Civil Rights.
- i) Defendants will withdraw as a party from the Title VI claim filed against ADEM in connection with the renewal and modification of Permit 53-03 relating to Arrowhead Landfill, now pending before EPA's Office of Civil Rights.
- j) Defendants will comply with all reasonable requests by Plaintiffs, and make all reasonable efforts, to assist in promoting the best interests of Plaintiffs and the success of Arrowhead Landfill provided that Plaintiffs reimburse Defendants their out of pocket expenses incurred.
- k) Defendants stipulate to the truth of the following facts:
- i. They have no evidence of any environmental harm done to the Uniontown and/or Perry County communities as a result of waste disposal operations at Arrowhead Landfill including the disposal of coal ash there.
 - ii. Neither they nor their counsel have knowledge of any person or entity who has claims against Plaintiffs (and all of Plaintiffs' past and present officers, directors, employees, attorneys, and agents; successors, assigns, shareholders, members, owners and insurers; and all parent, subsidiary and affiliate corporations) that could be brought under any state or federal law or act, or otherwise, arising in any way or manner from any act, occurrence or failure to act that occurred on or prior to the date this Agreement is fully executed.
 - iii. They will no longer act as a spokesman or officer of any group, nor act in concert with any group, opposed to Plaintiffs or their respective subsidiary and affiliate companies, or their successors and assigns, or Arrowhead Landfill.
 - iv. They will not oppose, or act in concert with any person or entity seeking to oppose, any future renewals or amendments to any environmental permits deemed necessary or convenient to the operation of Arrowhead Landfill by Plaintiffs or their respective subsidiary and affiliate companies, or their successors and assigns.
 - v. They will take no action adverse to the interests of Plaintiffs or their respective subsidiary and affiliate companies, or act in concert with any person or entity seeking to act adversely to Plaintiffs or their respective subsidiary and affiliate companies, or their successors and assigns.

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Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

- vi. Neither they nor their counsel have knowledge of any person or entity who has claims similar to those state law claims released under this Agreement or that could be brought under state or federal law or act, or otherwise, arising in any way or manner from any act, occurrence or failure to act that occurred on or prior to the date this Agreement is fully executed by the Parties.

4. The Parties hereby agree the terms of this Agreement, excepting only the Press Release and Retraction and the provisions of Paragraphs 3 a) and k), are confidential and shall not be disclosed to any person or entity, except: the Parties may make full disclosure to a Court (under seal), their attorneys and attorney's staff, experts or consultants, or pursuant to a valid subpoena or other legal process. The Parties further agree that they will not make negative, critical, or disparaging remarks to third parties about the other except to the extent of publication of the Press Release and Retraction and the provisions of Paragraphs 3 a) and k), as provided for above. If any Party or Parties disclose the confidential portions of this Agreement or make negative, critical, or disparaging remarks to third parties in violation of this Paragraph, then, upon proof by a preponderance of the evidence that a Party or Parties have breached this confidentiality and non-disparagement provision, the breaching Party or Parties shall be liable for all damages sustained by the non-breaching Party or Parties as a result of the breach which the parties stipulate would be difficult to quantify in an exact manner and therefore the Parties hereby agree are not less than Seventy Five Thousand One and no/100 DOLLARS (\$75,001.00) or the then current minimum jurisdictional amount for diversity jurisdiction in the Federal Courts.

5. Should any Party to this Agreement bring suit seeking to enforce any provision of this Agreement or alleging a breach thereof (including the confidentiality provision), the prevailing Party or Parties shall be entitled to any and all court and litigation costs, including reasonable attorney's fees, incurred in enforcing this Agreement, bringing a lawsuit for breach of this Agreement or defending a lawsuit arising out of this Agreement.

6. The Parties hereby agree that this Agreement shall be construed as a product of negotiations at arms length between equally sophisticated persons advised by counsel and shall not be construed against any party.

7. This Agreement supersedes any and all other prior agreements, either in writing or oral, between the Parties with respect to the subject matter of this Agreement and any amendment or termination of this Agreement must be in writing and signed by all Parties to this Agreement.

8. If any part of this Agreement is found void or unenforceable, it will not affect the validity of the balance of the Agreement, which shall remain valid and enforceable according to its terms.

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9. This Agreement shall be interpreted, construed and enforced pursuant to the laws of the State of Alabama, without regard to Alabama's conflict of laws principle.

10. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original.

IN WITNESS WHEREOF, the undersigned has caused this General Release and Settlement Agreement to be executed in its name effective as of the date first written above.

Green Group Holdings, LLC

By: _____
Ernest Kaufmann, President

Howling Coyote, LLC

By: _____
Ernest Kaufmann, President

General Release and Settlement Agreement

Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

STATE OF GEORGIA §
 § ss.
COUNTY OF _____ §

I, the undersigned, a notary public in and for the State of Alabama at Large, hereby certify that Ernest Kaufmann, whose name as President of Green Group Holdings, LLC, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such President and with full authority, executed the same voluntarily for and as the act of said limited liability company.

GIVEN under my hand this _____ day of March, 2016.

Notary Public
My Commission Expires: _____

STATE OF GEORGIA §
 § ss.
COUNTY OF _____ §

I, the undersigned, a notary public in and for the State of Alabama at Large, hereby certify that Ernest Kaufmann, whose name as President of Howling Coyote, LLC, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such President and with full authority, executed the same voluntarily for and as the act of said limited liability company.

GIVEN under my hand this _____ day of March, 2016.

Notary Public
My Commission Expires: _____

General Release and Settlement Agreement

Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

IN WITNESS WHEREOF, the undersigned has caused this General Release and Settlement Agreement to be executed as of the date first written above.

Mary L. Schaefer

STATE OF ALABAMA §
 § ss.
COUNTY OF _____ §

I, the undersigned, a notary public in and for the State of Alabama at Large, hereby certify that Mary B. Schaeffer, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily.

GIVEN under my hand this _____ day of March, 2016.

Notary Public
My Commission Expires: _____

General Release and Settlement Agreement

Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

IN WITNESS WHEREOF, the undersigned has caused this General Release and Settlement Agreement to be executed as of the date first written above.

Ellis B. Long

STATE OF ALABAMA §
 § ss.
COUNTY OF _____ §

I, the undersigned, a notary public in and for the State of Alabama at Large, hereby certify that Ellis Long, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily.

GIVEN under my hand this _____ day of March, 2016.

Notary Public
My Commission Expires: _____

General Release and Settlement Agreement

Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

IN WITNESS WHEREOF, the undersigned has caused this General Release and Settlement Agreement to be executed as of the date first written above.

Benjamin Eaton

STATE OF ALABAMA §
 § ss.
COUNTY OF _____ §

I, the undersigned, a notary public in and for the State of Alabama at Large, hereby certify that Benjamin Eaton, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily.

GIVEN under my hand this _____ day of March, 2016.

Notary Public
My Commission Expires: _____

General Release and Settlement Agreement

Green Group Holdings, LLC, et al. and Mary B. Schaeffer, et al.

IN WITNESS WHEREOF, the undersigned has caused this General Release and Settlement Agreement to be executed as of the date first written above.

Esther Calhoun

STATE OF ALABAMA §
 § ss.
COUNTY OF _____ §

I, the undersigned, a notary public in and for the State of Alabama at Large, hereby certify that Esther Calhoun, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily.

GIVEN under my hand this _____ day of March, 2016.

Notary Public
My Commission Expires: _____

EXHIBIT 1_T

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION

GREEN GROUP HOLDINGS, LLC, a)
Georgia limited liability company and)
HOWLING COYOTE, LLC, a Georgia)
limited liability company,)

PLAINTIFFS,)

VS.)

CIVIL ACTION NO.:

MARY B. SCHAEFFER, ELLIS B. LONG,)
BENJAMIN EATON AND ESTHER)
CALHOUN, individually and as members)
and officers of BLACK BELT CITIZENS)
FIGHTING FOR HEALTH AND)
JUSTICE, an unincorporated association,)

2:16-cv-00145-CG-N

DEFENDANTS.)

AMENDED COMPLAINT

This Amended Complaint is filed in compliance with the Court's Order dated April 12, 2016. (Doc. 8).

PARTIES

1. The Plaintiff Green Group Holdings, LLC, is a Georgia limited liability company having its principal place of business in Canton, Georgia.

2. The Plaintiff, Howling Coyote, LLC, is a Georgia limited liability company having its principal place of business in Canton, Georgia.

3. The Defendant Mary B. Schaeffer is a resident citizen of Perry County, Alabama, over the age of 19 years and of sound mind.

4. The Defendant Ellis B. Long is a resident citizen of Perry County, Alabama, over the age of 19 years and of sound mind.

5. The Defendant Benjamin Eaton is a resident citizen of Perry County, Alabama, over the age of 19 years and of sound mind.

6. The Defendant Esther Calhoun is a resident citizen of Perry County, Alabama, over the age of 19 years and of sound mind.

JURISDICTION

7. This action is brought pursuant to 28 U.S.C. §1332, as a civil action between citizens of different states where the amount in controversy exceeds Seventy Five Thousand and no/100 DOLLARS (\$75,000.00), exclusive of interest and costs.

8. The Plaintiff Green Group Holdings, LLC, (“Green Group”) is a Georgia limited liability company having its principal place of business in Canton, Georgia. The two owners of membership interests in Green Group, each owning a fifty per cent (50%) interest, are Herzog Contracting Corp., a Missouri corporation (“Herzog”), having its principal place of business in St. Joseph, Missouri, and Phillips Management and Services, LLC, a Tennessee limited liability company (“PMS”), having its principal place of business in Knoxville, Tennessee. Phillips Management and Services, LLC, is wholly owned by the W.T. Phillips, Sr. 2005 Irrevocable Family GSTT Trust, dated April 28, 2005 (the “Trust”). The Trustee of this Trust is W. T. Phillips, Sr., a resident citizen of Land O’ Lakes, Florida. The Trust is a “traditional family planning trust” created and governed

pursuant to the laws of the State of Florida¹, which is to say it is not a distinct legal entity but serves to establish a fiduciary relationship between its Trustee and the beneficiaries of the Trust. Under the terms of the said trust agreement, the Trustee has the power to hold, manage, and dispose of assets for the benefit of the Trust's beneficiaries. The Trust is not a "corporate trust" and thus does not have any owners nor are there any certificates or other legal documentation that might otherwise reflect trust certificates or any other factors that may classify this as a business trust, corporate trust or real estate trust.² The citizenship of Herzog and the Trust are thus deemed to be the states of Missouri³ and Florida, respectively.

9. The Plaintiff Howling Coyote, LLC, ("Howling Coyote") is a Georgia limited liability company having its principal place of business in Canton, Georgia, is the wholly owned subsidiary of Green Group Environmental Services, LLC, a Georgia limited liability company, a wholly owned subsidiary of Green Group, and is thus deemed to have the same citizenship as Green Group.

10. Complete diversity exists because all Defendants are citizens of the state of Alabama while the Plaintiffs are deemed to be citizens of the states of Missouri and Florida.

FACTUAL ALLEGATIONS

11. Howling Coyote was established by Green Group to own and operate the Arrowhead Landfill which it purchased pursuant to the Second Amended Order Authorizing the Sale of The Sale Assets pursuant to 11 U.S.C. § 363(b), Free and Clear of

¹ See F.S.A. § 736.0101, *et seq.*

² See letter from Jamie Hargrove, the draftsman of the Trust, attached as Exhibit A and made a part hereof by this reference.

³ 28 U.S.C. § 1332(c)(1)

All Liens, Claims and Encumbrances (Doc. 404) entered by the United States Bankruptcy Court for the Southern District of Alabama, Northern Division, on December 21, 2011⁴.

12. The sale of Arrowhead Landfill was closed on December 21, 2011, and the deed to Howling Coyote from James M. Grady, as Liquidating Trustee, was recorded on December 21, 2011, in office of the Probate Judge for Perry County, Alabama, in Deed Book 614 at Pages 591, *et seq.*

13. On December 22, 2008, a dike failure released or spilled an estimated 5.4 million cubic yards of coal ash⁵ into the adjacent waters of the Emory River that covered about 300 acres, including most of Swan Pond Embayment, the lower Emory River, and reservoir shorelines.

14. On May 11, 2009, TVA and the U. S. Environmental Protection Agency (“EPA”) Region 4 entered into an *Administrative Order and Agreement on Consent*, Docket No.: CERCLA-04-2009-3766, Proceeding Under Sections 104(a), 106(a), and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (the “Administrative Order”),⁶ which provided in part as follows:

“TVA shall not permanently dispose of any Waste Material at an off-Site facility, or in a new landfill on-Site, unless that facility or landfill is operating in compliance with RCRA Subtitle D permitting requirements for operation and disposal of industrial wastes which, at a minimum, shall include the use of a synthetic liner, leachate collection system, groundwater monitoring, financial assurance, and closure and post-closure care.”

⁴ See: *In re Perry Uniontown Ventures I, LLC*, and *Perry County Associates, LLC*, cases numbered 10-00276-MAM-11 and 10-277-MAM, Jointly Administered, in the United States Bankruptcy Court for the Southern District of Alabama, Northern Division.

⁵ Also known as “fly ash”, “bottom ash”, coal combustion residual (“CCR”) and/or coal combustion waste (“CCW”).

⁶ Attached hereto as Exhibit B (at pp. 18-19) and made a part hereof by this reference.

15. Pursuant to the Administrative Order, TVA solicited proposals and then submitted to EPA Region 4 for approval, its Offsite Ash Disposal Options Analysis recommending that Arrowhead Landfill be approved as the disposal site for the Time-Critical Removal Action, and on July 2, 2009, EPA Region 4, approved that plan.⁷ TVA found and EPA concurred that:

“The Arrowhead Landfill is a state-of-the-art, Subtitle D Class I facility. The composite liner system consists of 2 feet of 1×10^{-7} cm/sec compacted clay, a 60 mil high density polyethylene geomembrane liner, and a 2 foot thick drainage layer with a leachate collection system and protective cover. The site geology consists of the Selma Group chinks which ranges from 500 to 570 feet thick across the site, with a permeability less than 1×10^{-8} cm/sec. The uppermost groundwater aquifer is located beneath this layer.”

16. Arrowhead Landfill, under its prior ownership, began acceptance of the time-critical waste material, consisting primarily of coal ash released from the Tennessee Valley Authority (“TVA”)’s Kingston Fossil Plant, on July 4, 2009.

17. The time-critical waste material was loaded into “burrito bag” lined gondola rail cars in Kingston and shipped to Arrowhead Landfill by rail, unloaded and transported by truck from the railhead to the disposal site. The waste material maintained a moisture content of approximately 25% while in the rail cars and a moisture content of approximately 23% while exposed in the disposal cell. The coal ash did not become airborne at anytime after it arrived at Arrowhead Landfill’s rail yard.

⁷ See Offsite Ash Disposal Options Plan and Approval attached hereto as Exhibit C (at p. 13) and made a part hereof by this reference.

18. The overwhelming majority of the waste material from Kingston was disposed of in disposal cells that have been closed in accord with the rules and regulations promulgated by the Alabama Department of Environmental Management (“ADEM”).

19. ADEM is primarily responsible for the issuance of the permits necessary to operate Arrowhead Landfill as well as the monitoring of Arrowhead’s compliance with the terms of those permits. The permits that have been issued, and in some cases revised and/or renewed by ADEM⁸ are:

Solid Waste Disposal Facility Permit No. 53-03
 General NPDES Permit No. ALG160167 (Landfill)
 General NPDES Permit No. ALG140902 (Trans-Load Station)
 State Indirect Discharge Permit No. IU395300144

20. Arrowhead Landfill opened on October 15, 2007. Since that date it has received no notices of violation of any of its permits from ADEM or EPA despite having been inspected numerous times by each.

21. Black Belt Citizens Fighting for Health and Justice (“Black Belt”) publishes and maintains a website at <http://blackbeltcitizens.wix.com/blackbeltcitizens>. That website is disseminated to a national and international market and states that one of Black Belt’s goals is to “Get rid of the Arrowhead Landfill”.

22. Black Belt’s website further states, under its “Projects” tab that:

“Arrowhead Landfill, located on south Perry County Road 1 near Uniontown, Alabama, **poses a serious health and environmental threat** to our area. **Built on an unsuitable site** over our aquifer, it now contains almost

⁸ Perry County Associates, LLC, an Alabama limited liability company, is the holder of all permits issued by ADEM. Its principal place of business is in Canton, Georgia, and it is wholly owned by Central Alabama, LLC, a Georgia limited liability company, with its principal place of business in Canton, Georgia. Central Alabama, LLC, is the wholly owned subsidiary of Green Group.

4 million tons of toxic coal ash from the Kingston TN spill. Stormwater run-off and **deliberate discharges from the landfill reveal high levels of arsenic** which, along with **toxic dust and noxious odors, are impacting residents**, their livestock, and the garden produce on which they depend.” (Emphasis added.)

23. Black Belt publishes and maintains a Facebook page that is disseminated to a national and international market. That Facebook page has been used in a false and malicious manner to accomplish Black Belt’s stated goal of getting rid of Arrowhead Landfill. It may be found at <https://www.facebook.com/Black-Belt-Citizens-753236721412415/>.

24. The posts to this Facebook page (which the Defendants allege were written and posted on their Facebook page without their prior knowledge or approval)⁹ include the following specific false and defamatory publications:

October 23, 2015: Arrowhead Landfill and its owners, **Green Group Holdings, neglects laws, peoples' rights, and our culture. First, corruption and unlawful actions get the landfill here.** Then, 4 million tons of coal ash and garbage from 33 states. Now, Arrowhead landfill and **Green Group Holdings are trespassing and desecrating a black cemetery.** Black lives matter! Black ancestors matter! (Emphasis added.)

November 2, 2015: Coal ash landfills, like **Arrowhead Landfill, continue to leak toxins into rivers, streams, and groundwater**, potentially affecting the quality of drinking water. This toxic waste effects everyone, please watch this short film about the problems at Arrowhead. (Emphasis added.)

November 13, 2015: Black Belt Citizens demand no more coal ash in Uniontown! Black Belt Citizens demand ADEM and EPA enforce their laws to prevent further discrimination against the community. **The landfill is poisoning our homes and destroying our Black cementery (sic).** THIS IS ENVIRONMENTAL INJUSTICE! Where's our justice? (Emphasis added.)

⁹ Taking this allegation to be true, it forms the basis for the addition of fictitious party Defendants.

November 13, 2015: Uniontown residents continue to be upset over the actions of the Arrowhead Landfill, over the past 3 days there has been another unpermitted (illegal) discharge leaving **Green Group Holdings toxic landfill**. This has been occurring for years and ADEM has never enforced their permit limits to stop this problem. The majority of the **residents around the landfill are worried about their** water, air, property values, **families' health, and the nearby sacred cemetery that is also being desecrated by the landfill**. (Emphasis added.)

November 18, 2015: Continued onslaught, pollution, exploitation, & crimes against our Black community; unpermitted discharges leaving from **toxic Arrowhead Landfill** & destroying property values; increasing health threats, stress, & violence; these oppressive actions cause poverty & discrimination. The **Arrowhead Landfill is also desecrating the nearby Black cemetery**. Esther Calhoun, President of Black Belt Citizens, says "I feel like I'm in prison, we're **suffocated by toxic pollution** & extreme poverty. Where are my freedoms? This is an environmental injustice & it's happening in Uniontown & everywhere" (Emphasis added.)

25. On November 19, 2015, Plaintiffs' counsel sent a letter to Defendants by e-mail demanding that, given the nature of the posting via electronic media, that Defendants immediately delete these posts from their Facebook page and retract their prior posts as being false and misleading. Further demand was made that they immediately cease and desist from making false, erroneous statements about Green Group Holdings and Arrowhead Landfill.

26. There was no response to the November 19, 2015, and further posts to this Facebook page include the following specific false and defamatory publications:

November 20, 2015: Pictures of the New Hope Cemetery, neighbor of Arrowhead Landfill. The photos are of possible trespass and recent bulldozing done by the landfill, some of the graves are unable to be located, family members are upset over their **sacred space being violated, damaged, & desecrated**. Arrowhead Landfill is on the site of an older plantation. The New Hope Cemetery is the final resting place of former workers, indentured servants, and slaves of the plantation. Recent actions by the landfill and improper enforcement from the state constantly remind Uniontown's

residents of their past life full of violence, hate, & oppression. (Emphasis added.)

December 5, 2015: "We are tired of being taken advantage of in this community," said Uniontown resident Benjamin Eaton, who is a member of the group Black Belt Citizens Fighting for Health and Justice. "The living around here can't rest because of the **toxic material** from the coal ash **leaking into creeks and contaminating the environment**, and the deceased can't rest because of **desecration of their resting place**." (Emphasis added.)

January 11, 2016: **Multiple pollution sources impact residents including Arrowhead Landfill** which stores over 4 million tons of toxic coal ash. This **landfill is experiencing unpermitted amounts of water runoff leaving its site and entering neighboring property**. Also, the landfill may have committed **illegal trespass & desecration of an adjacent Black cemetery**. The owners of this landfill, **Green Group Holdings**, own and operate **many extreme landfills around the US**.

...

This event is created to unite citizens across Perry County and Uniontown, Alabama's Black Belt, and the Southeast US to accomplish the following:

...

- Identify communities' needs against environmental injustices including **illegal pollution**, coal ash, corporate interests for **toxic landfills**, and **"extreme energy waste sites"** (Emphasis added.)

January 14, 2016: Join us this Saturday in Uniontown for Building Bridges for Justice as we focus on the **toxic, 4 million tons of coal ash** sitting in the Arrowhead Landfill. The **landfill's pollution problems are influencing the decrease of property values while increasing health concerns**. This extremely large landfill owned by Green Group Holdings has been reportedly **trespassing and desecrating a nearby Black Cemetery**. These impacts are very discriminatory and we feel our civil rights are being violated by environmental racism at all levels. (Emphasis added.)

February 25, 2016: "Its a landfill, its a tall mountain of coal ash and it has affected us. **It affected our everyday life**. It really has done a lot to our freedom. **Its another impact of slavery**. ...Cause we are in a black residence, things change? And you can't walk outside. And **you can not breathe. I mean, you are in like prison**. I mean, its like **all your freedom is gone**. As a black woman, our voices are not heard. EPA hasn't listened and ADEM has not listened. Whether you are white or black, rich or poor, it should still matter and **we all should have the right to clean air and clean water**. I want to see EPA do their job."

Powerful words from our President Esther Calhoun. (Emphasis added.)

March 1, 2016: The **toxic Arrowhead Landfill** continues to hurt/violate/oppress the community with the **desecration of the adjacent cemetery**, the **constant run-off of contaminated water**, the **bad odors and smells**, and the **depression of property value**.

Watch this small video by Black Belt Citizens member Timothy Black as he records run-off at **toxic Arrowhead**. Black Belt Citizens stand with all communities impacted by toxic coal ash and extreme energy wastes. We stand united with all communities suffering from oppressive and discriminatory policies and practices. We stand with all people who fight for health and justice. (Emphasis added.)

27. On March 10, 2016, Plaintiffs' counsel sent a letter to Defendants by e-mail demanding that, given the nature of the posting via electronic media, Defendants immediately delete these posts from their Facebook page and retract their prior posts as being false and misleading. Further demand was made that they immediately cease and desist from making false, erroneous statements about Green Group Holdings and Arrowhead Landfill.

28. On the late afternoon of March 15, 2016, defendant Schaeffer sent an email on her behalf as well as on behalf of her sister, Defendant Long, acknowledging receipt of the March 10, 2016 letter and providing notice that the offending posts had been removed from the Black Belt Facebook page. She further alleged that the posts were written and posted without the knowledge or approval of the officers of Black Belt (the Defendants) and she stated that a further response to our "requests" would be forthcoming from the Defendants or their (unnamed) "attorneys".

29. On the early morning of March 16, 2016, Plaintiffs' counsel sent a letter to Defendants by e-mail which, *inter alia*, reminded Defendants of the demand for a

repudiation or retraction of their prior posts and extending the previously provided deadline for its publication to Friday March 18, 2016. Inquiry was also made as to whether Defendant Schaeffer was speaking for all four Defendants or just herself and her sister. Demand was also made for the disclosure of the identity and contact information for the person or persons who did write and post the libelous material that had been removed from Black Belt's Facebook page.

30. On March 17, 2016, defendant Schaeffer sent an email on her behalf as well as on behalf of her sister, Defendant Long, again stating that a further response to our letter would be forthcoming from the Defendants or their (unnamed) "counsel".

31. On March 18, 2016, a letter of representation as to all four Defendants was received promising a full response after meeting with those defendants "early next week".

32. The promised "full response" was received March 28, 2016, and was little more than an argumentative letter which included no retraction or repudiation of any of the material specified above as false, defamatory and misleading and lacking in any factual support.

33. A final demand for a retraction was delivered on March 30, 2016, and the deadline given in that demand for making such retraction has passed without any response from Defendants or their counsel.

COUNT I

(LIBEL)

34. Plaintiffs aver that the Defendants published the above material knowing of its falsity and sensationalizing sting, with malice by intentional action or with reckless

disregard for the truth, with an intent to disparage and demonize Plaintiffs and Arrowhead Landfill in the hope of achieving their goal of getting rid of Arrowhead Landfill.

35. Plaintiffs aver that by portraying Arrowhead Landfill as a facility that is a corrupt, intentional polluter of the Uniontown community that also desecrates cemeteries and is intentionally preying on that community to the extent that it calls to mind slavery times and false imprisonment, the Defendants have through the national and international publication of such sensational and defamatory (though false) allegations permanently injured and damaged the business and reputation of Plaintiffs.

36. As a proximate consequence of the libel and defamation of Plaintiffs, they have been injured and permanently damaged as set forth herein.

WHEREFORE, the Plaintiffs demand judgment against the Defendants, separately and severally, in the amount of Five Million and no/100 DOLLARS (\$5,000,000.00) in compensatory damages and Ten Million and no/100 DOLLARS (\$10,000,000.00) in punitive damages.

COUNT II

(SLANDER)

37. Plaintiffs further aver that the Defendants organized and publicized a “news conference” held on December 4, 2015, featuring the Alabama State Conference of the NAACP in Uniontown, Alabama, and during that press conference, Defendant Eaton told the press there assembled, including Dennis Pillion from al.com¹⁰, that:

¹⁰ Articles on al.com are available nationally and internationally through their on line presence at <http://www.al.com>.

"We are tired of being taken advantage of in this community," said Uniontown resident Benjamin Eaton, who is a member of the group Black Belt Citizens Fighting for Health and Justice. "The living around here can't rest because of the **toxic material** from the coal ash **leaking into creeks and contaminating the environment**, and the deceased can't rest because of **desecration of their resting place**." (Emphasis added.)¹¹

38. Plaintiffs aver that the Defendant Eaton knew or had reason to know of the lack of a truthful foundation for his statement and yet used the occasion to further hype the sensational and defamatory nature of the continuing campaign by Black Belt against Arrowhead Landfill in furtherance of its stated goal to "Get rid of the Arrowhead Landfill".

39. Plaintiffs further aver that the Defendants obtained an appearance by Defendant Calhoun on the "Uprising with Sonali" radio show which originates in Southern California and is available nationally and internationally through that show's website. During Defendant Calhoun's appearance, she made statements on air that were false and defamatory, including:

"Its a landfill, its a tall mountain of coal ash and it has affected us. **It affected our everyday life.** It really has done a lot to our freedom. **Its another impact of slavery.** ...Cause we are in a black residence, things change? And you can't walk outside. And **you can not breathe. I mean, you are in like prison.** I mean, its like **all your freedom is gone.**"

"As a black woman, our voices are not heard. EPA hasn't listened and ADEM has not listened. Whether you are white or black, rich or poor, it should still matter and **we all should have the right to clean air and clean water.** I want to see EPA do their job."

¹¹ See: *Cemetery Dispute the Latest Conflict Between Arrowhead Landfill, Uniontown Residents*, Dennis Pillion, December 5, 2015, http://www.al.com/news/index.ssf/2015/12/arrowhead_landfill_uniontown_r.html

40. The statements made by the Defendants Eaton and Calhoun were false and defamatory and were made with the malicious intent or reckless disregard to publish such false statements despite knowing or having reason to know of their falsity.

41. Plaintiffs aver the publication of such sensational and defamatory (though false) allegations have permanently injured and damaged the business and reputation of Plaintiffs.

42. As a proximate consequence of the slander of Plaintiffs, they have been injured and permanently damaged as set forth herein.

WHEREFORE, the Plaintiffs demand judgment against the Defendants, separately and severally, in the amount of Five Million and no/100 DOLLARS (\$5,000,000.00) in compensatory damages and Ten Million and no/100 DOLLARS (\$10,000,000.00) in punitive damages.

TRIAL BY JURY is demanded as to all counts.

//s/ Michael D. Smith
Michael D. Smith (ASB-0052-H66M)

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EXHIBIT 1-

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION

GREEN GROUP HOLDINGS, LLC, a Georgia limited liability company and HOWLING COYOTE, LLC, a Georgia limited liability company,

Plaintiffs,

vs.

MARY B. SCHAEFFER, ELLIS B. LONG, BENJAMIN EATON, and ESTHER CALHOUN, as individuals and as members and officers of BLACK BELT CITIZENS FIGHTING FOR HEALTH AND JUSTICE, an unincorporated association,

Defendants.

No. 2:16-cv-00145-CG-N

JUDGE CALLIE V.
S. GRANADE

MAGISTRATE
JUDGE
KATHERINE P.
NELSON

*ORAL ARGUMENT
REQUESTED*

MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS
PURSUANT TO RULE 12(b)(6)

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Introduction

In December 2008, 5.4 million cubic yards of coal ash spilled out of a landfill in Tennessee following a catastrophic dike failure. The widely publicized spill contaminated the land, rivers, reservoirs, and shore areas surrounding the landfill with metals such as arsenic—a known human carcinogen—and lead, and caused the Environmental Protection Agency (“EPA”) to conclude that there was a potential “imminent and substantial endangerment to the public health.”¹

In July 2009, the EPA approved a plan to transport the “time critical” coal ash from the defunct Tennessee facility to the Arrowhead Landfill in Uniontown, Alabama. Uniontown is an overwhelmingly Black town—one of Alabama’s poorest, and one whose residents can fairly be said to lack the political power to prevent their town from being used as a repository for waste from whiter, more prosperous areas of the State and country. Citizens of Uniontown, understandably outraged, organized to oppose the pervasive racial and environmental injustice their elected officials had failed to prevent. They spoke out against the landfill, expressing concern about risks to their environment and their health, the unfair location of the landfill in their community (and directly across the street from several homes), and the potential for the desecration of one of Uniontown’s historic Black cemeteries. In short, they engaged in civic association and political speech at the very core of the First Amendment’s protections.

Plaintiffs Green Group Holdings, LLC (“Green Group”) and Howling Coyote, LLC (“Howling Coyote”) are the owners of Arrowhead Landfill, which has existed in Uniontown since 2007. The landfill has been the subject of intense public criticism since it opened, and

¹ Amended Complaint, Doc. 10 (hereinafter “Complaint” or “Am. Compl.”), Ex. B at 8 ¶ 20.f.

especially after it began receiving the coal ash that had destroyed large swaths of the environment in Tennessee. In acquiring this landfill, the plaintiffs voluntarily entered a strictly regulated, high-profile industry rife with existing controversy about environmental safety and racial justice. To put it mildly, they injected themselves into a realm not suited for any entity with thin skin.

And yet they now seek \$30 million in damages for “harms” from allegedly defamatory statements made by concerned citizens in Uniontown about the landfill—statements such as, “[The landfill has] affected our everyday life,” “[W]e should all have the right to clean air and clean water,” and “Its another impact of slavery.”² The individual defendants accused of causing these “harms” are members of Black Belt Citizens Fighting for Health and Justice (“Black Belt Citizens”), an unincorporated concerned-citizens’ group dedicated to fighting for racial and environmental justice in Uniontown.

None of the statements at issue in this lawsuit goes further than expressing outrage at the presence of a massive coal ash landfill in Uniontown and concern about the attendant (and well-documented) risks to health, property, and dignity. The First Amendment does not permit public figure corporations to recover damages for expressions of public opinion with which they disagree, and it therefore does not permit this lawsuit to proceed.

Unfortunately, this is far from the first time that a for-profit corporation has sued Black citizens for having the temerity to organize against businesses that they believe perpetuate racial injustice. The facts here share much in common with a seminal Supreme Court case upholding the First Amendment rights of Black citizens in the face of lawsuits from white-owned

² These statements are not just exemplary—they were actually highlighted for special emphasis in the Complaint. Am. Compl. ¶¶ 26, 39.

businesses, *N.A.A.C.P. v. Claiborne Hardware Co.*, 458 U.S. 886 (1983). In that case, “[t]he black citizens named as defendants . . . banded together and collectively expressed their dissatisfaction with a social structure that had denied them rights to equal treatment and respect.”

Id. at 907. As the Supreme Court observed:

[T]he practice of persons sharing common views banding together to achieve a common end is deeply embedded in the American political process.

. . . .

[E]xpression on public issues has always rested on the highest rung of the hierarchy of First Amendment values. Speech concerning public affairs is more than self-expression; it is the essence of self-government. There is a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open.

Id. at 907, 913 (alteration, citations, and quotation marks omitted).³

This case is a classic example of what has become known as a “strategic lawsuit against public participation,” or SLAPP suit. A SLAPP suit is one intended to silence, censor, and intimidate critics out of the marketplace of ideas by saddling them with the cost of a lawsuit they can ill afford. Alabama is among the shrinking minority of states without a statute designed specifically to protect the average person exercising his or her right to free speech from an abusive SLAPP suit; for example, the plaintiffs’ claims would face a higher bar even in their home state of Georgia.⁴ But even where anti-SLAPP legislation is not available, SLAPP suits are meritless and must be dismissed. SLAPP suits in general are an affront to First Amendment values; this case is also an affront to the causes of racial and environmental justice in Alabama, and it should not be countenanced.

³ The Court cited for this principle, among other authorities, the seminal case of *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), which, in a controversy over political speech and racial justice in Alabama, recognized the core First Amendment protections that bar suits such as this one.

⁴ See Ga. Code Ann. § 9-11-11.1.

This Court should honor our nation's profound commitment to robust public debate by dismissing all claims in this case with prejudice and without delay, because the Complaint fails to state a viable claim as a matter of law.

Statement of Facts

Arrowhead Landfill is located in Uniontown, Alabama—a town with a median annual household income of less than \$14,000, where 47.6% of the population lives below the poverty line and over 90% of the population is Black.⁵ All four defendants are individuals who reside in Uniontown, in close proximity to the landfill. They are members of Black Belt Citizens, which is a grassroots community service organization dedicated to addressing concerns about health, environmental issues, and racial justice in Uniontown.

Arrowhead Landfill was opened in October 2007 to operate as a massive solid waste disposal facility pursuant to permits issued by the Alabama Department of Environmental Management (“ADEM”) and regulations promulgated by the EPA. Am. Compl. ¶¶ 19–20; 40 C.F.R. Part 258.

On December 22, 2008, a dike failure at the Kingston Fossil Fuel Plant in Roane County, Tennessee caused approximately 5.4 million cubic yards of coal ash to spill into the environment, contaminating the surrounding land, rivers, reservoirs, and shore areas. Am. Compl., Ex. B at 6 ¶ 12.⁶ Coal ash has constituents defined as “hazardous substance[s]” under

⁵ Based on U.S. Census data available at http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml# by typing “Uniontown, AL” into the search box and selecting the “Income” and “Poverty” tabs, and by selecting the “Race and Hispanic Origin” tab and selecting the “Race and Hispanic or Latino Origin” link under “2010 Census.”

⁶ Exhibit B to the Complaint, which is incorporated by reference, Am. Compl. ¶ 14 n.6, is an *Administrative Order and Agreement on Consent* in *In re: TVA Kingston Fossil Fuel Plant Release Site, Roane Cty., Tenn.*, Docket No. CERCLA-04-2009-3766, Doc. 10 (U.S. Env'tl Protection Agency Region 4, May 2009).

the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601(14); *see also* Am. Compl., Ex. B at 8 ¶ 20.b, and arsenic, one of its constituents, is classified by the EPA as a known human carcinogen and as harmful to wildlife, Am. Compl., Ex. B at 7–8 ¶ 19. After tests, Tennessee and the Tennessee Valley Authority (“TVA”) determined that levels of arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, and zinc from coal ash in surface water near the spill “exceeded the National Recommended Ambient Water Quality Criteria . . . for protection of aquatic life,” and the EPA found that “if the ash material is not properly managed and remediated, . . . potential exposure from ash on the ground could present unacceptable impacts to human health and/or the environment.” Am. Compl., Ex. B at 7–8 ¶¶ 18–19.

Pursuant to an agreement between the EPA and the TVA, Arrowhead Landfill was selected as the disposal location for coal ash from the Tennessee spill. Am. Compl. ¶ 15 & Ex. C at 13.⁷ Accordingly, on July 4, 2009 the landfill began receiving coal ash from Tennessee. Am. Compl. ¶ 16. Approximately 4 million tons were ultimately transferred to Uniontown. Dennis Pillion, *Cemetery Dispute the Latest Conflict Between Arrowhead Landfill, Uniontown Residents*, Al.com (Dec. 5, 2015), <http://s.al.com/82yPD9Z> (hereinafter “Pillion Article”); *see also* Am. Compl. ¶ 37 (incorporating this article by reference into the Complaint). Since then, Arrowhead has been the subject of a flood of public complaints concerning the odors, noises,

⁷ Exhibit C to the Complaint, which is incorporated by reference, Am. Compl. ¶ 15 n.7, is an *Off-Site Ash Disposal Options Analysis Work Plan* submitted by the TVA to the EPA on June 29, 2009 pursuant to the *Agreement on Consent* in *In re: TVA Kingston Fossil Fuel Plant Release Site, Roane Cty., Tenn*, Docket No. CERCLA-04-2009-3766 (U.S. Env’tl Protection Agency Region 4, May 2009).

traffic, and health issues it has caused in Uniontown. *Id.*⁸ It is also the subject of an EPA civil rights investigation that relates to the ADEM's decision to renew the landfill's permits and expand the disposal area.⁹ *Id.*; *see also* Am. Compl. ¶ 26 (indicating the defendants' awareness of complaints made to the ADEM and the EPA).

The plaintiffs entered this fray in December 2011, when, after the previous owners of the landfill filed for bankruptcy, Green Group formed Howling Coyote, a wholly-owned subsidiary, to take over ownership of Arrowhead Landfill pursuant to an order of the U.S. Bankruptcy Court for the Southern District of Alabama. Am. Compl. ¶ 11. The plaintiffs are Georgia companies with their principal places of business in Georgia and with members residing in Florida, Georgia, Missouri, and Tennessee. Am. Compl. ¶¶ 1–2, 8. Green Group, through Perry County Associates, LLC—a separate subsidiary—holds four ADEM permits for activities related to operating the landfill. Am. Compl. ¶ 19. As owners of a municipal solid waste landfill, the plaintiffs must also comply with extensive federal operating, design, monitoring, and financing requirements. *See* 40 C.F.R. Part 258.

The present litigation was commenced on April 5, 2016, when Green Group and Howling Coyote sued Esther Calhoun, Benjamin Eaton, Ellis Long, Mary Schaeffer and various fictitious individuals for libel and slander under Alabama law, alleging that various statements posted to

⁸ The ADEM website indicates that 183 public complaints were filed about Arrowhead Landfill between August 2010 and March 2016. *See* Ala. Dep't of Env't'l Mgmt., *eFile*, <http://app.adem.alabama.gov/eFile/> (accessible by entering the facility number for Arrowhead Landfill, 17668, as a Master ID in the "Facility" field, selecting the checkboxes for "air," "land," and "water," and selecting "Complaints" from the "Document Category / Type" field). As an example, a complaint from April 2015 mentions an "ongoing" issue with runoff from the landfill entering neighborhood property. *See* Record of Complaint, Apr. 14, 2016, <http://app.adem.alabama.gov/eFile/Download.ashx?lib=Field&docId=004090487>.

⁹ Civil rights complaint available at http://www.enviro-lawyer.com/ADEM_Title_VI_Complaint_2013.pdf.

the Black Belt Citizens website and Facebook page and spoken during radio interviews had defamed them. *See* Doc. 1. Each plaintiff seeks a total of \$5 million in compensatory damages and \$10 million in punitive damages. *See* Am. Compl. The allegedly defamatory statements are set forth in paragraphs 22, 24, 26, 37, and 39 of the Complaint, with emphasis added by the plaintiffs indicating the portions they assert to be defamatory. The libel claim is asserted against all four named defendants and based on the theory that these individuals hosted defamatory statements made by anonymous others on the Black Belt Citizens website and Facebook page. *See* Am. Compl. ¶¶ 22, 24, 34. The slander claim is asserted against Calhoun and Eaton for public statements made at a news conference and on a radio show. *See* Am. Compl. ¶¶ 37, 39.

On April 8, the Court issued an order dismissing the fictitious parties, and on April 12, Magistrate Judge Nelson directed the plaintiffs to file an amended complaint addressing various deficiencies in their allegations of federal jurisdiction. *See* Docs. 7 & 8. An amended complaint was filed on April 22, 2016 and served on May 18, 2016. By this motion, the defendants respectfully urge the Court to dismiss the Complaint in its entirety for failure to state a viable claim as a matter of law.

Legal Argument

I. Requirements for pleading a defamation claim

Rule 8(a)(2) of the Federal Rules of Civil Procedure requires a plaintiff to present “a short and plain statement of the claim showing that the pleader is entitled to relief.” The purpose of this notice-pleading requirement is to “give the defendant fair notice of what the claim is and the grounds upon which it rests.” *Am. Dental Ass’n v. Cigna Corp.*, 605 F.3d 1283, 1288 (11th Cir. 2010) (alteration omitted). Accordingly, in order to survive a motion to dismiss, a plaintiff must allege “enough facts to state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v.*

Twombly, 550 U.S. 544, 570 (2007); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009) (requiring dismissal “where the well-pleaded facts do not permit the court to infer more than the mere possibility of misconduct”). While specific factual allegations must be accepted as true for purposes of evaluating the sufficiency of the pleadings, this “tenet . . . is inapplicable to legal conclusions.” *Iqbal*, 556 U.S. at 678. “Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.” *Id.* (citing *Twombly*, 550 U.S. at 555).

Under Alabama law, a cause of action for defamation consists of “1) a false and defamatory statement concerning the plaintiff; 2) an unprivileged communication of that statement to a third party; 3) fault amounting at least to negligence; and 4) either actionability of the statement irrespective of special harm or the existence of special harm caused by the publication of the statement.” *Drill Parts & Serv. Co. v. Joy Mfg. Co.*, 619 So. 2d 1280, 1289 (Ala. 1993). A defamatory statement is one that “tends so to harm the reputation of another as to lower him in the estimation of the community or to deter third persons from associating or dealing with him.” *Blevins v. W.F. Barnes Corp.*, 768 So. 2d 386, 389–90 (Ala. Civ. App. 1999). In order to be actionable, a statement must also “contain a provably false factual connotation.” *Kelly v. Arrington*, 624 So. 2d 546, 550 (Ala. 1993). “[S]tatement[s] of opinion,” “imaginative expression,” and “rhetorical hyperbole” therefore do not suffice. *Deutch v. Birmingham Post Co.*, 603 So. 2d 910, 912 (Ala. 1992).

In addition to pleading actionable defamation, a plaintiff must comply with federal constitutional requirements that protect free speech. *McCaig v. Talladega Publ’g Co.*, 544 So. 2d 875, 877 (Ala. 1989). In order to afford the “breathing space essential” to the “fruitful exercise” of First Amendment rights, the U.S. Supreme Court has prescribed “an extremely powerful antidote” to the “self-censorship” that results from “common-law . . . liability for libel and

slander.” *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 342 (1974) (quotation marks omitted).

Plaintiffs who “are properly classed as public figures . . . may recover for injury to reputation only on clear and convincing proof that [a] defamatory falsehood was made with knowledge of its falsity or with reckless disregard for the truth.” *Id.* (referring to the “actual malice” standard set forth in *N.Y. Times*, 376 U.S. 254).

When, as here, plaintiffs are public figures (see Parts IV.B and IV.C, below), properly pleaded defamation claims must include a plausible factual predicate for actual malice; a conclusory allegation that a statement was made with the requisite malice does not suffice. *See Michel v. NYP Holdings, Inc.*, 816 F.3d 686, 703–04 (11th Cir. 2016) (affirming dismissal of complaint under Rule 12(b)(6) for failure to allege “actual malice” beyond a mere conclusory allegation about the defendant’s mind state).

As set forth in more detail below, the plaintiffs have failed to meet the basic pleading standard for defamation claims with regard to every single statement in the Complaint. Each of the statements complained of suffers from at least one fatal flaw: Defendants Long and Schaeffer are not accused of making *any* of the statements at issue, which are conceded to have been made almost exclusively by third parties; the few statements attributed to Defendants Calhoun and Eaton are expressions of opinion and rhetorical hyperbole, and therefore protected under the First Amendment; liability for hosting the unattributed statements online is categorically barred by federal statute; and the plaintiff corporations are public figures and have failed to allege that any of the statements were made with “actual malice”—that is, with knowing falsity.

This last failure underscores the urgency of the present motion. The plaintiffs, as a result of their own actions, are public figures embroiled in a public controversy about racial and environmental justice, and the defendants are their chief critics and adversaries in this public

debate. The statements listed in the Complaint not only fail to support a claim for defamation—they lie at the very core of the First Amendment’s protection. No conceivable amendment to the Complaint could change the fact that the First Amendment prevents the plaintiffs, as public figures, from securing monetary judgment against citizen-activists who have spoken out in opposition to a landfill in their community, expressing their beliefs about its risks and harms. And that remains true even if those activists are less than scientifically precise in their public statements about the landfill; indeed, this is precisely the “breathing space” contemplated by the Supreme Court’s seminal First Amendment jurisprudence. This Court should decline to permit the plaintiffs to use the judiciary as a forum for a policy dispute, or, worse, for intimidating citizen-activists into silence on matters of immense public concern in their community.

In light of its fatal flaws and improper purpose, the Complaint should be dismissed with prejudice.

II. The vast majority of the statements upon which the libel claims are based are not alleged to have been made by any of the defendants, and are therefore not actionable.

A. Defendants Long and Schaeffer are not alleged to have made any of the statements in the Complaint, and all claims against them must be dismissed.

The statements upon which the plaintiffs base the libel claims against Defendants Long and Schaeffer are set forth in paragraphs 22, 24, and 26 of the Complaint.¹⁰ *See* Am. Compl. ¶¶ 22, 24, 26, 34. These statements are alleged to have been posted to the Black Belt Citizens website and Facebook page. *See id.* ¶¶ 21–26. The plaintiffs do not allege, however, that any of these statements was spoken, written, or posted by Long or Schaeffer. Thus, under fundamental principles of Alabama tort law, neither Long nor Schaeffer has committed any tort. *See, e.g., Ex*

¹⁰ There are no slander claims against these defendants.

parte Windom, 840 So. 2d 885, 888 (Ala. 2002) (“Liability for slander or libel, like liability for any tort, depends on . . . [a] wrongful act *by the defendant* . . .” (emphasis added)). The claims against these individuals are therefore baseless and must be dismissed.

To the extent there is any discernible theory for liability against Long or Schaeffer on the face of the Complaint, it appears to be based on the allegation that the statements at issue—although not written, spoken, or posted by either of these individuals—were hosted on the website and Facebook page of Black Belt Citizens.¹¹ But even if the Complaint alleged that Long or Schaeffer had any involvement in maintaining the website or Facebook page—which it never does—this theory is definitively foreclosed by the federal Communications Decency Act (“CDA”), which states that “[n]o provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider,” and expressly preempts state law—including state libel law—to the contrary. 47 U.S.C. § 230(c)(1), (e)(3); *see also Zeran v. Am. Online, Inc.*, 129 F.3d 327, 332 (4th Cir. 1997) (individuals accused of publishing defamatory statements are “clearly protected by § 230’s immunity”). Facebook and the Black Belt Citizens website are “interactive computer service[s]” under the CDA. *See, e.g., Klayman v. Zuckerberg*, 753 F.3d 1354, 1357 (D.C. Cir. 2014); *Fair Hous. Council of San Fernando Valley v. Roommates.com, LLC*, 521 F.3d 1157, 1162 (9th Cir. 2008); *Fraley v. Facebook, Inc.*, 830 F. Supp. 2d 785, 801 (N.D. Cal. 2011). Since Long and

¹¹ Paragraph 24 of the Complaint states that the “Defendants allege [the Facebook statements] were written and posted . . . without their prior knowledge or approval,” and urges the Court to “[t]ak[e] this allegation to be true.” Am. Compl. ¶ 24 & n.9. Accordingly, the plaintiffs have not only failed to attribute any statements to Long or Schaeffer, but they expressly disavow this course of events as their theory of the case, proceeding instead on the theory that anonymous others wrote the statements and the defendants, through Black Belt Citizens, merely *hosted* them online. The plaintiffs have persisted in this theory despite having already had one opportunity to amend their pleadings.

Schaeffer are not alleged to have themselves written or published the statements at issue in the Complaint, the libel claims against them are barred by the CDA. *Cf. Klayman*, 753 F.3d at 1358–60 (affirming dismissal under Rule 12(b)(6) based on a CDA defense).

B. Defendants Calhoun and Eaton are only alleged to have made three of the statements in the Complaint, and the rest of the statements cannot supply a basis for any defamation liability.

Among the statements upon which the defamation claims against Defendants Calhoun and Eaton are based, only three statements are alleged to have been made by either of these individuals. (These statements are addressed specifically below.) For precisely the reasons explained above, the rest of the statements therefore cannot supply a basis for any valid defamation claim: even if they were wrongful acts—and they are not—they are not wrongful acts *by the defendants*, and the CDA bars liability for hosting statements made by others.

III. All claims are predicated on non-actionable statements of opinion and rhetorical hyperbole and must be dismissed.

The three statements alleged to have been made by Calhoun or Eaton —the only “wrongful acts *by the defendants*” at issue in this litigation—consist exclusively of expressions of concern, opinion, outrage, and non-literal rhetoric made by individuals who have never held themselves out to be scientists or lawyers, and who have spoken in the context of a heated public debate about matters of core political concern. These statements are expressive, imaginative, evaluative, and at times hyperbolic, but they do not contain provably false assertions of fact, and they therefore fall squarely outside the domain of defamation law and within the right to free speech.

The three statements are as follows (all emphases in the original):

- ξ I feel like I’m in prison, we’re **suffocated by toxic pollution** & extreme poverty. Where are my freedoms? This is an environmental injustice & it’s happening in Uniontown & everywhere[.] Am. Compl. ¶ 24.

§ Its a landfill, its a tall mountain of coal ash and it has affected us. **It affected our everyday life.** It really has done a lot to our freedom. **Its another impact of slavery.** . . . Cause we are in a black residence, things change? And you can't walk outside. And **you can not breathe. I mean, you are in like prison.** I mean, its like **all your freedom is gone.**

As a black woman, our voices are not heard. EPA hasn't listened and ADEM has not listened. Whether you are white or black, rich or poor, it should still matter and **we all should have the right to clean air and clean water.** I want to see EPA do their job. Am. Compl. ¶¶ 26, 39 (alteration in original).

§ We are tired of being taken advantage of in this community The living around here can't rest because of the toxic material from the coal ash **leaking into creeks and contaminating the environment**, and the deceased can't rest because of **desecration of their resting place.** Am. Compl. ¶¶ 26, 37.

For the reasons explained below, none of these statements can properly give rise to defamation liability.

A. Statements of opinion and rhetorical hyperbole cannot give rise to defamation liability.

In a defamation case, in order for a statement to be facially actionable it must be “sufficiently factual to be susceptible of being proved true or false.” *Milkovich v. Lorain Journal Co.*, 497 U.S. 1, 21 (1990); *see also Kelly*, 624 So. 2d at 550–51 (noting that the same limit on liability exists as a matter of Alabama law). Accordingly, if “the speaker is expressing a subjective view, an interpretation, a theory, conjecture, or surmise, rather than claiming to be in possession of objectively verifiable facts, the statement is not actionable.” *Marshall v. Planz*, 13 F. Supp. 2d 1246, 1257 (M.D. Ala. 1998) (quoting *Haynes v. Alfred A. Knopf, Inc.*, 8 F.3d 1222 (7th Cir. 1993)). The purpose of this principle is to preserve the “conventional give-and-take in our economic and political controversies” between persons with conflicting ideas. *Old Dominion Branch No. 496, Nat’l Ass’n of Letter Carriers, AFL-CIO v. Austin*, 418 U.S. 264, 284 (1974); *see also Gertz*, 418 U.S. at 339–40 (“However pernicious an opinion may seem, we depend for

its correction not on the conscience of judges and juries but on the competition of other ideas.”). It also “provides assurance that public debate will not suffer for lack of imaginative expression or the rhetorical hyperbole which has traditionally added much to the discourse of our Nation,” and “reflects the reality that exaggeration and non-literal commentary have become an integral part of social discourse.” *Horsley v. Rivera*, 292 F.3d 695, 701 (11th Cir. 2002) (quotation marks omitted).

In assessing whether a statement contains a provably false assertion of fact, context is crucial. As the Eleventh Circuit has admonished: when a person “engage[s] in an emotional debate on a highly sensitive topic[,] . . . a reasonable [reader or listener] would infer that [the] statement was more an expression of outrage than an accusation of fact.” *Id.* at 702. Similarly, courts have repeatedly observed that “Internet message boards and . . . communication platforms are generally regarded as containing statements of pure opinion rather than statements or implications of actual, provable fact.” *Ghanam v. Does*, 845 N.W.2d 128, 144 (Mich. Ct. App. 2014); *see also Krinsky v. Doe 6*, 72 Cal. Rptr. 3d 231, 247 (Ct. App. 2008) (“When a defamation action arises from debate or criticism that has become heated and caustic, as often occurs when speakers use Internet chat rooms or message boards, a key issue before the court is whether the statements constitute fact or opinion.”); *Doe v. Cahill*, 884 A.2d 451, 465 (Del. 2005) (“[Social media postings] lack the formality and polish typically found in documents in which a reader would expect to find fact.”); *Silvercorp Metals Inc. v. Anthion Mgmt. LLC*, 959 N.Y.S.2d 92, at *2 (Sup. Ct. 2012) (mem.) (“Within the broader social context, the [statement] on the internet, where debate is often caustic and free-wheeling, is reasonably understood as expressing the opinion of the writer.”).

B. The statements made by Defendant Calhoun contain no provably false assertions of fact.

The first statement in the Complaint attributed to Esther Calhoun was posted to the Black Belt Citizens Facebook page on November 18, 2015: “I feel like I’m in prison, we’re **suffocated by toxic pollution** & extreme poverty. Where are my freedoms? This is an environmental injustice & it’s happening in Uniontown & everywhere[.]” Am. Compl. ¶ 24 (emphasis in original).

This is precisely the sort of expression of political outrage—made in the context of a heated public debate—that as a matter of law is insulated from defamation liability. No reasonable reader or listener would conclude that the phrases, “I feel like I’m in prison,” and “we’re suffocated by toxic pollution,” were meant to be taken literally—that is, that Calhoun is actually in prison or suffocating. Indeed, Calhoun begins the statement with the words, “I feel,” thus indicating that she is expressing a subjective reaction. Nor can it reasonably be inferred that by using the word “toxic,” Calhoun was making a scientific or legal assertion. Calhoun has not held herself out as an environmental scientist or implied the existence of any undisclosed scientific facts. As is plain from the context of the statement—which was posted to the social media webpage of a concerned-citizens’ group—she was engaging in hyperbolic rhetoric. When, as here, assertions that might otherwise have a provable basis in fact are made in the context of a heated political debate, courts have routinely found them to be non-actionable. *See, e.g., Old Dominion*, 418 U.S. at 284 (calling plaintiff a “traitor”); *Greenbelt Coop. Publ’g Ass’n v. Bresler*, 398 U.S. 6, 14 (1970) (accusing plaintiff of “blackmail”); *Horsley*, 292 F.3d at 702 (calling plaintiff an “accomplice to homicide”); *U.S. Steel, LLC v. Tieco, Inc.*, 261 F.3d 1275, 1294 (11th Cir. 2001) (comparing plaintiff to a mass murderer).

The second statement attributed to Calhoun, alleged to have been made during a radio interview and also reproduced verbatim in a February 25, 2016 post to the Black Belt Citizens Facebook page, is as follows:

Its a landfill, its a tall mountain of coal ash and it has affected us. **It affected our everyday life.** It really has done a lot to our freedom. **Its another impact of slavery.** . . . Cause we are in a black residence, things change? And you can't walk outside. And **you can not breathe. I mean, you are in like prison.** I mean, its like **all your freedom is gone.**

As a black woman, our voices are not heard. EPA hasn't listened and ADEM has not listened. Whether you are white or black, rich or poor, it should still matter and **we all should have the right to clean air and clean water.** I want to see EPA do their job.

Am. Compl. ¶¶ 26, 39 (alteration and emphasis in original).

This statement, like the previous one, consists of opinion and hyperbole that cannot support a viable defamation claim. When Calhoun asserts that the presence of a landfill in her town “affected [the] everyday life” of the people in the town, or that it “has done a lot to [their] freedom,” she is simply expressing her opinion that she and others have been emotionally affected by the presence of a large landfill in town. These subjective statements are not capable of being confirmed or refuted, and are therefore not actionable. *See Milkovich*, 497 U.S. at 22 (drawing a distinction, for defamation purposes, between “a subjective assertion” and “an articulation of an objectively verifiable event”); *Marshall*, 13 F. Supp. 2d at 1258 (finding an assertion of the use of poor medical judgment to be a non-actionable “subjective opinion concerning the quality of care with which [the plaintiff] treated his patients”); *Kelly*, 624 So. 2d at 550–51 (finding that questioning the plaintiff’s ethics was a non-actionable expression of opinion).

Calhoun also asserted that she “can’t walk outside” and “can not breathe,” that she is “like in prison,” and that “all [her] freedom is gone.” As explained above, however, no

reasonable listener would conclude that comparisons to being in prison and to suffocating are literally true. This is hyperbolic speech of precisely the sort that, according to the Eleventh Circuit, “add[s] much to the discourse of our Nation” and “ha[s] become an integral part of social discourse,” and is therefore protected under the First Amendment. *Horsley*, 292 F.3d at 701.¹²

C. The statement made by Defendant Eaton contains no provably false assertions of fact.

The statement attributed to Benjamin Eaton was allegedly uttered at a press conference held on December 4, 2015 and then posted verbatim on the Black Belt Citizens Facebook page on December 5, 2015: “We are tired of being taken advantage of in this community The living around here can’t rest because of the toxic material from the coal ash **leaking into creeks and contaminating the environment**, and the deceased can’t rest because of **desecration of their resting place**.” Am. Compl. ¶¶ 26, 37 (emphasis in original).

This statement, like those attributed to Calhoun, consists exclusively of opinion and rhetoric, and therefore cannot as a matter of law give rise to defamation liability. As explained above, statements that may otherwise be provably false often assume a mantle of non-literal rhetoric when made about sensitive topics in the context of a heated political debate. *See Horsley*, 292 F.3d at 702. Eaton is a member of a political activist group who has engaged in

¹² The remainder of Calhoun’s second statement consists of (a) innocuous assertions that are neither defamatory nor factually false, and (b) statements about the EPA or the ADEM that do not refer to the plaintiffs. It cannot be disputed that Arrowhead Landfill is, in effect, a “mountain of coal ash,” and this statement does no reputational harm to the plaintiffs because it is an accurate description of the landfill that they operate. Calhoun’s assertion that the “EPA hasn’t listened and ADEM has not listened,” and that she “want[s] to see EPA do their job,” are not actionable because they do not “concern[] the plaintiff[s].” *Drill Parts*, 619 So. 2d at 1289; *see also Lloyd v. Cmty. Hosp. of Andalusia, Inc.*, 421 So. 2d 112, 113 (Ala. 1982) (affirming dismissal of defamation claim because the statement at issue did not refer to the plaintiff).

core political speech; he is not a scientist or a lawyer, and the statement is not based on any undisclosed facts. He therefore cannot reasonably be understood to be making scientific or legal claims about contamination or toxicity. Much as the Supreme Court has recognized that accusations of treason or blackmail—although capable of defamatory meaning in certain contexts—are not actionable when used in a non-literal, non-legal sense, *see Old Dominion*, 418 U.S. at 284 (treason); *Greenbelt*, 398 U.S. at 14 (blackmail), so too is Eaton’s use of the words “toxic” and “contaminating” not reasonably to be construed in context as a literal assertion of scientific or legal fact. To conclude otherwise would be to stifle Eaton’s ability to engage in the political rhetoric that is at the core of the First Amendment’s protections.

The same is true of Eaton’s statement that “the deceased can’t rest because of desecration of their resting place.” To begin this phrase with an assertion about the dead in their resting places is to establish at the outset a non-literal, rhetorical tone. And the word “desecrate”—which means “[t]o divest (a thing) of its sacred character,” *Desecrate*, Black’s Law Dictionary (10th ed. 2014)—has an inherently subjective connotation. This phrase, in other words, contains no actionable assertions of fact.

Finally, to the extent the plaintiffs base their claims against Eaton on his statement that he and others “are tired of being taken advantage of,” this phrase is not actionable because it expresses a subjective reaction of frustration and emotional fatigue, and therefore cannot be proven to be false. *See Milkovich*, 497 U.S. at 22; *Marshall*, 13 F. Supp. 2d at 1258; *Kelly*, 624 So. 2d at 550–51.

Because none of the three statements in the Complaint that are attributed to either Calhoun or Eaton is facially actionable, the claims against these defendants must be dismissed.

See, e.g., Church of Scientology of Cal. v. Cazares, 638 F.2d 1272, 1286 (5th Cir. 1981) (noting that whether a statement is capable of defamatory meaning can be resolved as a matter of law).¹³

IV. All claims in any event must be dismissed because the plaintiffs are public figures and they have not plausibly alleged actual malice.

A. Actual malice must be alleged in defamation cases involving public figures.

Especially in the contentious world of political debate, the threat of penalty for making a false statement may very well inhibit speakers from making true statements. *See Gertz*, 418 U.S. at 340 (“[P]unishment of error runs the risk of inducing a cautious and restrictive exercise of the constitutionally guaranteed freedoms of speech and press.”). That is why the Supreme Court has repeatedly held that “First Amendment freedoms need breathing space to survive.” *Citizens United v. Fed. Elections Comm’n*, 558 U.S. 310, 329 (2010); *see also Gertz*, 418 U.S. at 341 (“The First Amendment requires that we protect some falsehood in order to protect speech that matters.”). Thus, to ensure that the public debate is “uninhibited, robust, and wide-open,” the Supreme Court has prescribed a scienter requirement in defamation cases—like this one—that pose particular risks to the freedom of speech and of the press. *N.Y. Times*, 376 U.S. at 270; *see also Hutchinson v. Proxmire*, 443 U.S. 111 (1979); *Gertz*, 418 U.S. at 340.

Public officials and public figures who enter the limelight assume a “risk of closer public scrutiny,” and the public’s interest in their affairs is correspondingly greater. *Gertz*, 418 U.S. at 344–45. Accordingly, public officials and public figures cannot recover for defamation without showing that the defamatory statement “was made with ‘actual malice’—that is, with knowledge

¹³ Although none of the remaining statements is alleged to have been made by any of the defendants, the defendants note for purposes of completeness that these statements—for precisely the reasons that apply to the statements attributed to Calhoun and Eaton—are also non-actionable expressions of opinion and rhetorical hyperbole, and are therefore legally deficient on multiple overlapping grounds.

that it was false or with reckless disregard of whether it was false or not.” *N.Y. Times*, 376 U.S. at 279–80 (public officials); *see also Curtis Publ’g Co. v. Butts*, 388 U.S. 130 (1967) (public figures).

The designation of “public figure” status may rest on either of two bases. *Gertz*, 418 U.S. at 351. “In some instances an individual may achieve such pervasive fame or notoriety that he becomes a public figure for all purposes and in all contexts.” *Id.* In other cases, “an individual voluntarily injects himself or is drawn into a particular public controversy and thereby becomes a public figure for a limited range of issues.” *Id.* In either instance, “such persons assume special prominence in the resolution of public questions,” and they must therefore demonstrate “actual malice” before recovering for defamation. *Id.*

B. Plaintiffs Green Group and Howling Coyote are general-purpose public figures.

The Supreme Court defines a general-purpose public figure as one who has achieved “general fame or notoriety in the community, and pervasive involvement in the affairs of society.” *Gertz*, 418 U.S. at 352. Although the Eleventh Circuit has not expressly weighed in on the matter, other lower federal courts, addressing how to apply the public-figure definition to non-natural persons, have repeatedly observed that the reasons for allowing suits for defamation—protecting “the essential dignity and worth of every human being,” *Milkovich*, 497 U.S. at 22—are not implicated in cases involving the reputations of corporations, *see, e.g., Brown & Williamson Tobacco Corp. v. Jacobson*, 713 F.2d 262, 273 (7th Cir. 1983) (“[I]f the purpose of the public figure-private person dichotomy is to protect the privacy of individuals who do not seek publicity or engage in activities that place them in the public eye, there seems no reason to classify a large corporation as a private person.”); *Martin Marietta Corp. v. Evening Star Newspaper Co.*, 417 F. Supp. 947, 955 (D.D.C. 1976) (“It is quite clear from the [Supreme]

Court’s opinion [in *Gertz*] . . . that the values considered important enough to merit accommodation with interests protected by the first amendment are associated solely with natural persons, and that corporations, while legal persons for some purposes, possess none of the attributes the Court sought to protect.”). They have, accordingly, often given the definition a more expansive interpretation in cases involving corporate plaintiffs. *See, e.g., OAO Alfa Bank v. Ctr. for Pub. Integrity*, 387 F. Supp. 2d 20, 48 (D.D.C. 2005) (treating corporate plaintiffs as public figures per se); *Reliance Ins. Co. v. Barron’s*, 442 F. Supp. 1341, 1347–48 (S.D.N.Y. 1977) (recognizing that corporations have different interests in protecting reputations and finding that corporate plaintiff was a general-purpose public figure by virtue of its size and public status).

The Alabama Supreme Court, for its part, has held that an insurance company “subject to close regulation by [the] government . . . invite[s] attention and comment,” is “clothed with the public interest,” and has sufficient “power and influence” such that it is a public figure “for purposes of [Alabama’s] libel laws.” *Am. Benefit Life Ins. Co. v. McIntyre*, 375 So. 2d 239, 242 (Ala. 1979),¹⁴ *overruled on other grounds by Pemberton v. Birmingham News Co.*, 482 So. 2d 257 (Ala. 1985); *see also Coronado Credit Union v. Koat Television, Inc.*, 656 P.2d 896, 904 (N.M. Ct. App. 1982) (holding that credit unions are “so involved with the public interest” and

¹⁴ On an application for rehearing—which was denied—the Court also addressed whether the corporate plaintiff was a limited-purpose public figure and answered this question in the affirmative, deploying precisely the same reasoning. *See id.* at 250 (“The company [plaintiff] was regulated by the State Insurance Commissioner. There is a public interest in such companies licensed by the state. By entering into such a business, a company has voluntarily subjected itself to public scrutiny. The investigation of the Insurance Commissioner is an expected incident of an insurance company’s business.”).

“comprehensively regulated” under state law that they are public figures and must prove actual malice).¹⁵

Applying the reasoning of the federal cases cited above and of the Alabama Supreme Court in *McIntyre*, it is plain that the plaintiffs in this case are public figures. Nothing about the defendants’ political rhetoric concerning the presence of the Arrowhead Landfill in Uniontown implicates “the essential dignity and worth of [any] human being.” *Milkovich*, 497 U.S. at 22. Thus, in balancing the interests of the defendants in engaging in core political discourse against the interests of the plaintiffs in preserving their reputation—the essential task in any defamation lawsuit—there is no basis for favoring the latter over the former. But even more to the point: the plaintiffs are companies operating in a heavily-regulated industry that is subject to pervasive public oversight at both the state and federal levels. *See* Am. Compl. ¶¶ 1–2 (describing the plaintiffs); *id.* ¶¶ 19–20 (explaining the permits and inspections required of the plaintiffs to operate Arrowhead Landfill); *id.* Exs. B, C (setting forth extensive regulatory measures that apply to the handling of coal ash, the selection of coal ash repositories, and the management of landfills that contain coal ash).¹⁶ The plaintiffs have willingly and repeatedly participated in government permitting processes subject to public oversight; they cannot now credibly claim to

¹⁵ Although the public-private figure distinction is a question of federal constitutional law, the states are free to define liability for defamation under state law as they see fit, so long as they remain within federal constitutional bounds. Accordingly, “resort to [state] case law” on the question of “[w]hether a plaintiff is a ‘public figure’” is appropriate as long as state law “provide[s] a broader”—and therefore more speech-protective—definition of this term. *Harris v. Quadracci*, 48 F.3d 247, 250 n.5 (7th Cir. 1995); *see also Michel*, 816 F.3d at 695 (recognizing state law as applicable in a diversity action for defamation where it was “broader and more protective of speech than the requirements found in the Federal Constitution”). The defendants are not aware of any Eleventh Circuit precedent that defines general-purpose public figure status more narrowly than the Alabama Supreme Court, but even if such precedent existed, the Alabama Supreme Court’s decision in *McIntyre* would control in this diversity action.

¹⁶ *See also* 40 C.F.R. Part 258 (setting forth federal regulatory criteria for managing municipal solid waste landfills such as Arrowhead Landfill).

be private persons for the purposes of pressing a defamation claim against those with opposing views on public policy. The plaintiffs are therefore public figures not only under the federal constitution, but also “for purposes of [Alabama’s] libel laws.” *McIntyre*, 375 So. 2d at 242.

C. Plaintiffs Green Group and Howling Coyote are limited-purpose public figures.

Even if they are not public figures for all purposes, the plaintiffs have undoubtedly “thrust themselves to the forefront of particular public controversies in order to influence the resolution of the issues involved,” *Gertz*, 418 U.S. at 345, and they must therefore still satisfy the “actual malice” requirement in order to state a viable claim of defamation.

The Eleventh Circuit and Alabama Supreme Court have both adopted the three-part test developed by the D.C. Circuit in *Waldbaum v. Fairchild Publications, Inc.*, 627 F.2d 1287 (D.C. Cir. 1980), for determining whether a plaintiff is a limited-purpose public figure. *Little v. Breland*, 93 F.3d 755, 757 (11th Cir. 1996); *Cottrell v. Nat’l Collegiate Athletic Ass’n*, 975 So. 2d 306, 334 (Ala. 2007). Under *Waldbaum*, a court “must (1) isolate the public controversy, (2) examine the plaintiff’s involvement in the controversy, and (3) determine whether the alleged defamation was germane to the plaintiff’s participation in the controversy.” *Little*, 93 F.3d at 757 (alteration and quotation marks omitted).

1. Public controversies surrounding the establishment and continued operation of Arrowhead Landfill and the relocation of coal ash to Uniontown have existed since 2007.

The first prong of the *Waldbaum* test requires asking whether there existed a public controversy that was “more than merely newsworthy”—that is, whether there was an “issue [that] was being debated publicly and . . . had foreseeable and substantial ramifications for nonparticipants.” *Silvester v. Am. Broad. Cos.*, 839 F.2d 1491, 1495 (11th Cir. 1988) (citing *Waldbaum*, 627 F.2d at 1297). Issues that arise in heavily regulated industries or that have

received extensive public debate satisfy this criterion. *See Little*, 93 F.3d at 757; *Silvester*, 839 F.2d at 1495.

In this case, a controversy of indisputably public nature arose regarding the relocation of coal ash from the catastrophic spill in Tennessee in December 2008. *See* Am. Compl. ¶¶ 14, 15 & Exs. B, C. The choice of Arrowhead Landfill as the site for this coal ash was the subject of substantial public debate and regulatory attention. *See, e.g., id.* Exs. B, C (regulatory actions setting forth basis for disposal of coal ash from Kingston Fossil Plant and its relocation to the Arrowhead Landfill); Pillion Article (explaining an ongoing public debate about “concerns after the [Arrowhead] landfill accepted around 4 million tons of coal ash material from the . . . Tenn. spill in 2009”). In a broader sense, so too was the establishment and continued operation of Arrowhead Landfill in Uniontown since 2007. The landfill required extensive permitting, *see* Am. Compl. ¶ 19; was the subject of 183 public complaints to the ADEM since 2007 and a civil rights complaint to the EPA, *see supra* notes 8 & 9; Pillion Article (“Residents living just outside the . . . Arrowhead Landfill in Uniontown have had complaints about the facility since it opened in 2007 The Environmental Protection Agency has also agreed to investigate a complaint made against the Alabama Department of Environmental Management that ADEM violated Black Belt residents’ civil rights by renewing the landfill’s permit and allowing an expansion of the disposal area.”); and resulted in “numerous” inspections by both the ADEM and the EPA, Am. Compl. ¶ 20. The intense and well-documented public attention to an issue arising in a highly regulated industry plainly constitutes a “public controversy” under the first *Waldbaum* prong. *Silvester*, 839 F.2d at 1495.

2. The plaintiffs have been extensively involved in this controversy since December 2011.

The second *Waldbaum* prong requires assessing “the extent to which the plaintiffs are involved in the public controversy.” *Id.* at 1496. To satisfy this prong, “the plaintiff either (1) must purposely try to influence the outcome of the public controversy, or (2) could realistically have been expected, because of [its] position in the controversy, to have an impact on its resolution.” *Id.* (alteration and quotation marks omitted).

Green Group and Howling Coyote assumed ownership over Arrowhead Landfill on December 21, 2011. Am. Compl. ¶¶ 11–12. Since then, of course, they have had the ability to influence the operation of the landfill and the means by which coal ash is transported, treated, and stored in Uniontown. The second *Waldbaum* prong is thus easily satisfied. *See Little*, 93 F.3d at 758 (“Little’s choice to assume the position of leadership at the Mobile Convention & Visitors Corporation, an organization involving public scrutiny, shows a voluntary decision to place himself in a situation where there was a likelihood of public controversy.”); *Silvester*, 839 F.3d at 1497 (“Plaintiffs . . . thrust themselves into [a] position of prominence by voluntarily entering a strictly regulated, high-profile industry in which there were few major participants. By becoming important members of the regulated . . . industry, they invited public scrutiny, discussions, and criticism.”); *White v. Mobile Press Register, Inc.*, 514 So. 2d 902, 904 (Ala. 1987) (“[The plaintiff’s] prior association with E.P.A., and his choice of a career as a high level executive in [the hazardous waste] industry[, which] is the subject of much public interest and concern[,] show a voluntary decision to place himself in a situation where there was a likelihood of public controversy.”).

3. The allegedly defamatory statements about the landfill are germane to the plaintiffs' participation in the public controversy.

The allegedly defamatory statements in the Complaint concern the existence and operation of Arrowhead Landfill and its effects on Uniontown and its citizens, Am. Compl. ¶¶ 22, 24, 26, 29, 37, both of which phenomena are self-evidently attributable to Green Group and Howling Coyote, the owners of the landfill. The statements are therefore undoubtedly “germane to the plaintiff[s’] participation in the controversy” under the third *Waldbaum* factor. *Little*, 93 F.3d at 757.

D. The plaintiffs have not alleged actual malice.

Because the plaintiffs are public figures, they must allege with sufficient factual plausibility that the statements in the Complaint were made with “actual malice”—i.e., “with knowledge that [they were] false or with reckless disregard of whether [they were] false or not.” *N.Y. Times*, 376 U.S. at 279–80; *see also Garrison v. Louisiana*, 379 U.S. 64, 74 (1964) (“[O]nly those false statements made with the high degree of awareness of their probable falsity . . . may be the subject of . . . civil . . . sanctions.”).

Even assuming that any of the rhetoric upon which the defamation claims are based could be taken literally, there are no factual allegations in the Complaint that support any inference that such statements were made with a “high degree of awareness of their probable falsity.” *Garrison*, 379 U.S. at 74. The only allegation of actual malice is the following purely conclusory recital of the scienter element of a cause of action for libel: “Plaintiffs aver that the Defendants published the above material knowing of its falsity and sensationalizing sting, with malice by intentional action or with reckless disregard for the truth” Am. Compl. ¶ 34; *see also id.* ¶¶ 23, 38, 40 (same). This is a legal conclusion, not a factual allegation, and it therefore falls short of the plausibility requirement of Rule 8(a)(2). *See Iqbal*, 556 U.S. at 678 (“Threadbare recitals of the

elements of a cause of action, supported by mere conclusory statements, do not suffice.”). In fact, the Eleventh Circuit has affirmed the dismissal of a defamation complaint that alleged malice at precisely this level of generality. *See Michel*, 816 F.3d at 703–04 (“*Michel* alleges in a purely conclusory manner that the defendants were ‘reckless’ in publishing the article. Allegations such as these amount to little more than ‘[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements,’ which are insufficient to support a cause of action.” (quoting *Iqbal*, 556 U.S. at 678)). Under the specific holding of *Michel* and the principles of *Iqbal* and *Twombly*, the defamation claims must be dismissed for failure to state a claim.

But the defects in the allegation of scienter do not stop there. Somewhat counterintuitively, the plaintiffs have incorporated a document into their pleadings that further undermines their conclusory allegation of malice and establishes conclusively that actual malice could not be alleged or proven in this case. Exhibit B to the Complaint is the *Administrative Order and Agreement on Consent* entered into by the EPA and the TVA in the wake of the December 2008 coal ash spill in Tennessee, setting forth a plan for the administrative response to this disaster. Among the findings of fact in this document are the following:

- ξ On January 21, 2009, TVA submitted written notification to the Tennessee Emergency Response Commission, pursuant to which TVA reported a discharge of 5.4 million cubic yards of ash *containing the following constituents: arsenic, beryllium, chromium, copper, lead, mercury, nickel, zinc, antimony, cadmium, silver, selenium, thallium, and vanadium oxide.*
- ξ On February 4, 2009, EPA . . . and [the Tennessee Department of Environment and Conservation] issued a letter to TVA in which EPA provided notice to TVA that *EPA considers the release [of coal ash] to be an unpermitted discharge of a pollutant in contravention of the Clean Water Act.*
- ξ EPA has classified arsenic *as a known human carcinogen*; and long-term exposure of aquatic organisms to high levels of metals like arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, and zinc *may cause decreases in survival, growth, or reproduction* to those aquatic organisms.

Am. Compl., Ex. B at 7–8, ¶¶ 15, 16, 19 (emphasis added). The document also concludes that “[t]he conditions described in the Findings of Fact . . . constitute an actual or threatened ‘release’ of hazardous substances from the facility as defined by Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).” *Id.*, Ex. B at 8, ¶ 20.e.¹⁷

This document defeats any conceivable inference that words and phrases such as “toxic,” “pollutant,” and “coal ash leaking into creeks and contaminating the environment,” Am. Compl. ¶¶ 24, 26, 37—even if they could be construed as literal assertions of fact—were spoken with a “high degree of awareness of their *probable falsity*.” *Garrison*, 379 U.S. at 74 (emphasis added). It demonstrates that the defendants’ assertions were *probably true*—and, by implication, could not have been made with the requisite malice. Even taking the EPA’s findings with a heavy dose of skepticism, they are still the factual findings of a federal agency made in the aftermath of a coal ash disaster that contaminated the environment and precipitated the transfer of coal ash to Uniontown; at an absolute minimum, they supply a reasonable basis for a person—especially a non-expert—to conclude that coal ash is a risky and toxic pollutant, and that Arrowhead Landfill poses a threat of contaminating Uniontown and affecting the lives of its inhabitants. The defendants therefore could not, as a matter of law, have made any of the statements in the Complaint with actual malice.¹⁸

¹⁷ See also U.S. Env’t Protection Agency, *Frequently Asked Questions About the Coal Ash Disposal Rule* (July 9, 2015), <https://www.epa.gov/coalash/frequent-questions-about-coal-ash-disposal-rule> (“Coal ash contains contaminants like mercury, cadmium and arsenic associated with cancer and various other serious health effects.”).

¹⁸ Even if there were allegations or evidence that contradicted the findings in the *Administrative Order and Agreement on Consent*—and there is none—this document would still supply a reasonable basis for all of the statements in the complaint. See *N.Y. Times*, 376 U.S. at 287–88 (explaining that the actual malice standard does not impose a duty to make any reasonable investigation into the truth of an assertion or the validity of the evidence upon which it is based). Thus, not only have the plaintiffs failed to allege actual malice, but granting them

Conclusion

For the reasons explained above, the defendants respectfully request that the Court dismiss the Complaint with prejudice and enter Judgment in favor of the defendants.

June 2, 2016

Respectfully submitted,

Lee Rowland (*pro hac vice* pending)
Benjamin Good (*pro hac vice* pending)
Dennis Parker (*pro hac vice* pending)
Rachel Goodman (*pro hac vice* pending)
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/s/ Randall C. Marshall
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Ex. 6 - Personal Privacy

leave to amend their Complaint to fix this deficiency would be futile. *See, e.g., Mizzaro v. Home Depot, Inc.*, 544 F.3d 1230, 1255 (11th Cir. 2008) (affirming denial of leave to amend on the basis of futility).

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2016, I did serve the above Memorandum through the Court's ECF filing system pursuant to Fed. R. Civ. P. 5(b)(2)(E) to the following counsel for all Plaintiffs:

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Jones Walker LLP

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Mobile, AL 36602

Tel: (251) 439-7513

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Michael D. Smith

Smith and Staggs, LLP

701 22nd Avenue

Tuscaloosa, AL 35401

Tel: (205) 409-3140

Email: msmith@smithstaggs.com

/s/ *Randall C. Marshall*

WAGNER, J. R. 1993. *Journal of Wildlife Management* 57: 623.

EXHIBIT 1↑

DECLARATION OF ESTHER CALHOUN

1. My name is Esther Calhoun. I am of legal age and competent to give this declaration. All of the information herein is based on my own personal knowledge unless otherwise indicated.

2. I live at **Ex. 6 - Personal Privacy**

Ex. 6 - Personal Privacy

3. I submitted another declaration in this matter in 2014, but I submit this second declaration to describe the ongoing desecration of the New Hope Cemetery in Uniontown by the Landfill and Landfill operators. I have family in that cemetery, and it is a travesty and injustice the way that the Cemetery has been carelessly treated and harmed.

4. The New Hope Cemetery is located right next to the Landfill. It is a historically black cemetery in what was a segregated town. A church once stood in that site also.

5. The Cemetery is personally meaningful and important to me because I have a brother buried there, as well as other close kin. My brother, Robert Albert Hudson, died at age two. I would like to visit his grave regularly, but the impacts from the Landfill have made that unpleasant to do, which simply devastates me and breaks my heart.

6. When the Landfill was installed, the operator of the Landfill promised they were going to maintain access to the Cemetery and keep it maintained. They have not done so. Instead, they put a water monitoring well right in the grounds of the cemetery. They also failed to keep up the cemetery—there are bushes and brambles all over the place. It has gotten so bad that now I can't even find my brother's grave.

7. Another effect the Landfill has on the cemetery is the odor. The odor is powerful and acrid, making visiting family members in the cemetery an unpleasant experience that does not hold sacred their loss. The odor is overpowering and brutal, a physical presence that slaps you in the face in what should be a quiet, peaceful moment remembering family members past.

8. Most recently, in 2015, the Landfill sent in a bulldozer, which ran over part of the cemetery and straight across my ancestors' graves. This is an unbelievable and devastating attack on the sanctity of the cemetery. It is now impossible to find grave sites and to pay proper respects in this place. I cannot believe what the Landfill operators have done here, and I do not believe they would be able to get away with this in a white cemetery or one in a community with more money.

9. The Landfill did not notify me before sending the bulldozer into the Cemetery. The Landfill did not consult me on its plans for bulldozing a path through the Cemetery.

10. I joined other members of the community in complaining to the Landfill about what they had done. The lawyer for the Landfill, Mike Smith, drew up papers that he wanted members of the community to sign but we weren't represented by lawyers and I didn't agree to sign the papers.

11. Even after we complained to the Landfill, they have continued bulldozing and disturbing the Cemetery. There was a bulldozer in the Cemetery in the month of February, 2016.

12. The Landfill is trying to get people in the community to look the other way. They had a meeting recently where they offered some community members a free dinner. But what we want is for the cemetery to be preserved and held as the sacred space it is, not to have the company simply make it look like everything is all right.

13. The Landfill claims that the Cemetery is on Landfill property, and they have said they would deed the cemetery to a non-profit. I do not know the full legal status of the Cemetery, but if the Landfill does own it, it was wrong for them ever to buy it. I cannot believe this sacred final resting place of my family members would be owned by a stinky landfill that is polluting our town. Even if

the Landfill owns the Cemetery, they should not just use it and enter it like any old property, as they've done with the water monitoring well and the bulldozing.

14. Even if the Landfill owns the property on which the Cemetery is located, they should have maintained access to the graves, should have kept it up, and should not have disturbed the graves or any gravestones.

15. Before the Landfill brought in the bulldozer, had offered to join the Landfill operator in cleaning the Cemetery, but when the operator has visited the Cemetery, they have not called or communicated with me.

16. I could not be more sad and upset about the state of the cemetery. It's just not right that my brother's grave, and the graves of so many others from our community, are being treated this way.

17. When I saw what they had done to the Cemetery with the bulldozer, it was like a knife through my heart. To me, this is even worse than having to live as a sharecropper and the affronts and indignities of the past—we have fought for generations for our property, and now this is a new way to try to show us that we are not respected or fully citizens. I simply cannot believe this.

18. Are our rights worth nothing? Where is our local and state government? I cannot believe we still live in a place and time where this kind of very physical devastation to our civil rights is allowed.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed in Uniontown , Alabama on March 3 2016

Ex. 6 - Personal Privacy

Esther Calhoun

EXHIBIT 1 |

Ex. 6 - Personal Privacy

EXHIBIT 1→



EXHIBIT 1←



EXHIBIT 1



EXHIBIT 10

Upton, Hannah

From: Watson, Brent
Sent: Monday, July 06, 2015 8:23 AM
To: Upton, Hannah
Subject: FW: Arrowhead Landfill
Attachments: GreenGroupLettertoBBCFHJ.6-22-15.pdf; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Flagged

From: Michael Smith <msmith@smithstaggs.com>
Date: July 3, 2015 at 9:00:38 AM CDT
To: Phil Davis <pdd@adem.state.al.us>
Cc: Bill Hodges <bhodes@hhnt.com>, Joy Hammonds <jhammonds@gghcorp.com>
Subject: Arrowhead Landfill

Dear Mr. Davis:

We have just become aware that a letter sent to my client, Green Group Holdings, LLC ("GGH"), by Esther Calhoun and others on behalf of "Black Belt Citizens Fighting for Health and Justice" appears on the ADEM website under the "General Correspondence" heading regarding GGH's Arrowhead Landfill (Permit No.: 53-03).

Green Group did not receive this letter until June 1, 2015 and responded to it on June 22, 2015 but failed to provide a copy of that response to ADEM since ADEM was not noted by Ms. Calhoun, et al., as being copied on the original letter.

We would appreciate your entry of our response in the Arrowhead Landfill's eFile under "General Correspondence".

Thank you in advance for your assistance in this matter.

Mike Smith

Michael D. Smith
Smith & Staggs, LLP
701 22nd Avenue, Suite 1
Tuscaloosa, AL 35401

Telephone 205.409.3140
Facsimile 205.409.3144
msmith@smithstaggs.com

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Thank you.



GREENGROUP

June 22, 2015

Black Belt Citizens Fighting for Health and Justice
P. O. Box 523
Uniontown, AL 36786

Dear Ms. Calhoun, Mr. Eaton, Mr. Long, and Ms. Schaeffer:

We received your letter regarding Arrowhead Landfill in Uniontown, Perry County, Alabama.

While Green Group Holdings appreciates your concern, most of the information you included in your letter is not factually accurate. I would like to take this opportunity to dispel some of your misconceptions.

"Arrowhead Landfill...is positioned in a rural residential area that is home to over 100 families..."

This is inaccurate, as there are only 38 dwellings located within one mile of the disposal cell.

"...the landfill is built over jurisdictional wetlands and waterways and provided the habitat for several endangered species."

During the permitting process, the proposed project corridor was surveyed with respect to jurisdictional wetlands. The initial permit application for the landfill, which resulted in the granting of the landfill permit by the Alabama Department of Environmental Management (ADEM), describes how field studies using Army Corps of Engineers (ACOE) methodology were conducted. These field studies identified the presence of 16 jurisdictional wetlands and 25 jurisdictional waters in the study corridor and determined that construction of the proposed landfill would not impact areas within the jurisdiction of the ACOE. A letter from ACOE concurring with this assessment was issued on May 13, 2003 and was included with the permit application.

Regarding endangered species, in June 2001, Ecological Solutions, Inc. performed an evaluation of the proposed landfill to assess the potential for impacts to threatened or endangered (T&E) species and their habitats. As part of this evaluation, a list of T&E species potentially present in Perry County was developed from a review of the U.S. Fish and Wildlife Service (USFWS). As described in the initial permit application, no federally protected or state protected species were observed within the proposed 1,100-acre parcel during the field studies. Habitat was not observed for any protected species of potential occurrence within the study corridor. The permit application included a letter from USFWS concurring with the results of the assessment.

"Many sites of historic importance were identified, including a cemetery with very old graves, and all of those were demolished during construction of the landfill."

This is not true. While there is a graveyard adjacent to the landfill entrance, it is on land Green Group does not own or control. There is no organized group maintaining the cemetery and it became badly overgrown. The cemetery was discovered during construction of the landfill and the Alabama Historical Commission was notified. The Historical Commission found no evidence of damage or disturbance of the cemetery. Nevertheless, the contractor sent in a crew to hand clear

134 Riverstone Terrace, Suite 203 • Canton, GA 30114
p 770.720.2717 f 770.720.2747 gghcorp.com

the cemetery and they removed all trees and undergrowth. The community was to have maintained the cemetery but it has since been grown over again.

"One of the layers of the liner required by EPA for an MSW landfill was omitted from the final design plans and construction."

This is false. Like any modern landfill, Arrowhead features a highly engineered liner system with not one, but two protective liners: a compacted clay composite liner and a polyethylene geomembrane liner. Arrowhead is in full compliance with requirements of the Environmental Protection Agency (EPA) as well as the Alabama Department of Environmental Management (ADEM).

"Selma Chalk is NOT impermeable; it shifts and cracks open during dry weather."

This is true as it relates to the surface soils in the area but untrue as it relates to the Selma Chalk. The thick Selma Group Chalk (545-563 feet thick at the GWM-2, 3 and 4 locations between the initial disposal cell and County Road 1) has a low permeability (1.0×10^{-6} to 1.0×10^{-8} cm/sec) and is a substantial natural barrier between the landfill waste units and the underlying regional Eutaw Sand aquifer. The travel time for water to pass through the chalk to the sand aquifer requires hundreds, if not thousands, of years.

"Runoff from the landfill has been tested at the ditch alongside the facility and in the creek across County Road 1 and found to contain arsenic and high levels of conductivity."

This is inconsistent with our test results and no proof has ever been offered for these allegations. No one has ever produced an independent third party test showing any elevated arsenic levels at any location on or near the landfill property. Regular inspections by certified ADEM inspectors have shown that no coal ash is escaping Arrowhead Landfill. Inspection reports are publicly available on the ADEM website.

"The facility has never provided any protections for the residents who live in proximity to the landfill, not even a fence around the perimeter of the property."

This is inaccurate. A fence already exists along County Road 1, and Green Group has complied with all the requirements of the permit. Furthermore, we have provided protections beyond what is required by the permit, including relocating the entrance to move all traffic away from the facility's neighbors at their request.

"The approach at Arrowhead has NOT provided 'significant value' to the community of Uniontown, as you claim; in fact, quite the contrary."

Residents of Uniontown and Perry County have benefitted in a number of ways from Arrowhead Landfill. Perry County received more than \$4 million from host fees during the 18 months of high volume disposal of Kingston coal ash – a portion of which provided for the upkeep and maintenance of county roads. During that time, approximately 60 jobs were created at wage rates far above the prevailing wage paid in Perry County. More than 50 of those jobs were from Perry County and many acquired transferable skills, such as operating articulating dump trucks, that would enhance their employability. Perry County residents also receive the benefit of free garbage disposal at the landfill, saving them a total of \$221,000 in disposal fees in 2014. Just in 2014 alone, Green Group has spent \$1.4 million with local Perry County companies.



Beyond the economic benefits provided by Arrowhead, Green Group has actively supported local schools and community initiatives. Some examples include:

- Providing funding for backpacks and back-to-school supplies for every child in Perry County from Pre-K to 6th grade.
- Donating mandatory school uniforms to underprivileged students
- Sponsorship of two college-bound freshmen last year during Uniontown's Community Businesses Assisting Student Education (CBASE) campaign
- Sponsorship of community activities such as Uniontown's annual City Festival

In closing, I want to reiterate that Green Group takes great pride in our dedication to maintaining the highest standards of environmental and operational safety, and we are very proud of our track record on that account. Again, due to the publicity surrounding the Kingston coal ash spill, Arrowhead has been the most heavily inspected landfill in Alabama – by both ADEM and the EPA – and it has never once been cited for a violation.

I hope that in the future, Black Belt Citizens Fighting for Health and Justice will make an effort to research the facts and attempt to be more accurate in the way it portrays Arrowhead Landfill.

In an effort to provide you with more accurate information, I would like to personally invite your group on a tour of Arrowhead Landfill. Please call Joy Hammonds at (770) 720-2717 to set up a time to meet with me and take a tour of the site. If we can make that happen, I truly believe we can begin working together for the good of Perry County.

Sincerely,

Ex. 6 - Personal Privacy

Ernest Kaufmann
President and CEO
Green Group Holdings, LLC

EXHIBIT 1 ¶



EXHIBIT 1 1



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EXHIBIT 1-1



EXHIBIT \perp \uparrow



EXHIBIT 1



EXHIBIT $\perp \rightarrow$



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EXHIBIT T T

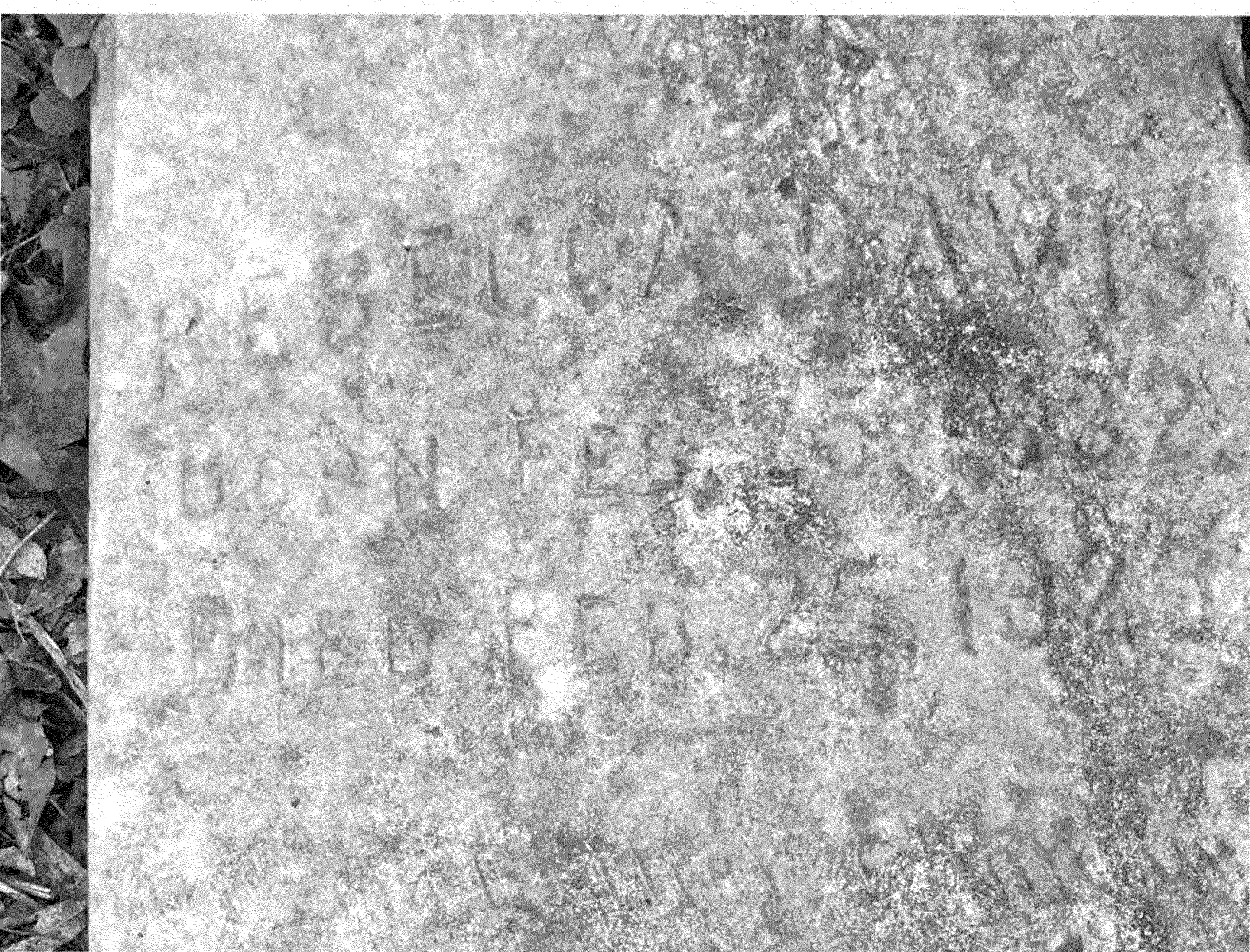


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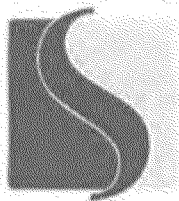


EXHIBIT \uparrow



EXHIBIT T 1

MICHAEL D. SMITH
CLAY STAGGS
AMANDA MULKEY
JAIME W. CONGER



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FACSIMILE
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SMITH & STAGGS, LLP
701 22ND AVENUE, SUITE 1
TUSCALOOSA, AL 35401

WRITER'S EMAIL:
MSMITH@SMITHSTAGGS.COM

November 18, 2015

Ms. Mary Schaeffer
(via email)

Re: New Hope Cemetery

Dear Ms. Schaeffer,

I did not make any assumption regarding any ties between your Black Belt Citizens group and the cemetery. I do however know that you, your sister, Ms. Calhoun, and Mr. Eaton are the apparent officers and leaders of that group. Each of you was present at (or in the case of Mr. Eaton invited to) our last meeting and participated with some vigor. Facebook requires that organized groups with pages designate their administrators and only those administrators are allowed to post on behalf of the organization. My comments were directed toward you as individuals, not your group. Mr. Kaufmann took the time to come over and all present engaged in a lively debate and found common ground. That those of you present would:

- less than 24 hours after that meeting, condone using your group site to say that Green Group had condoned "trespassing and desecrating a black cemetery" and that "Arrowhead Landfill, continues to hurt, disrespect, neglect, violate, & exploit the community"; and
- after receiving our invitation to a follow up meeting, publish on November 13, 2015, that the "landfill is poisoning our homes and destroying our Black cementery (sic)"

is shameful at best and downright factually deceitful. People outside your community continue to use you and you either cannot see it or are glad to serve as their pawns.

We conducted our community meeting as planned last night regarding the cemetery. At that meeting each of the four (4) prominent leaders of the group genuinely interested in New Hope Cemetery went out of their way to let Ernest and I know that neither you nor anyone else affiliated with your group represented them and that they appreciated our efforts and would continue to work with us to see that the cemetery is cleaned up, maintained and properly preserved. We will not abandon them nor anyone else more interested in serving the memory of their ancestors and culture than serving the agendas of strangers from outside Perry County.

Ms. Mary Schaeffer
November 18, 2015
Page 2

I hope that you found the information I provided with my email of October 30, 2015 to be helpful. As I told you in our last meeting and in that email, Green Group operates in an open and above board manner. Any and all required environmental testing results we have will be made available to you at your request. We would hope that you and those working with you would be so open. Betsy Dobbins promised to cooperate with us and provide her data and we agreed to work with her to develop (and pay for) a suitable testing protocol that would give comfort to the community concerning the operation and safety of Arrowhead Landfill. My numerous follow up telephone calls and emails to her went unanswered. John Wathen has never offered up any independent test results to anyone, and none of the plaintiffs in the lawsuit brought alleging illegal pollution by a prior operator ever produced any such test results.

Finally, if the end game you seek is for Arrowhead Landfill to be closed or somehow be made to magically disappear, that will not happen. If you simply wish to be mad and tilt at windmills, that is your choice. If you want to enter into meaningful dialogue, be accurately informed regarding the landfill's operations, and work to see your community prosper as the result of a mutually respectful relationship with a company that wants to be a good corporate citizen, then choose to be part of a solution and let me know of your change of heart.

Yours very truly

Ex. 6 - Personal Privacy

Michael D. Smith

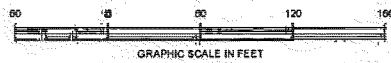
MDS/

Drawn by: J. L. Smith
Reviewed by: J. L. Smith
Date: 06/24/15
File Name: 1002-007 CEN.dwg



LEGEND OF SYMBOLS

IRON PIN FOUND 1/2" REBAR
GRAVE MARKER
GRAVE
PROPERTY LINE
MONITORING WELL
FENCE



MISCELLANEOUS NOTES

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POINT TABLE		
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678126.69	1976370.40	CENTER OF CHURCH
678113.95	1976268.84	0
678125.90	1976292.68	1
678129.81	1976293.76	2
678134.55	1976306.06	3
678116.87	1976330.91	4
678112.58	1976341.54	5
678116.01	1976345.17	6
678101.92	1976347.66	7
678101.06	1976331.02	M0
678137.93	1976300.68	8
678133.82	1976295.66	9
678121.30	1976287.93	M1

Revisions

WELLSTON ASSOCIATES
LAND SURVEYORS, LLC
1002-007
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WALTER BOWEN, GEORGIA 1108
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EXHIBIT

FOR
ARROWHEAD LANDFILL

ALABAMA
PERRY COUNTY
T-17-N
R-0-E
SEC. 26

Project No.:
Drawing No.:
Drawn By:
Checked By:

1002-007
EXHIBIT
W.S.B.
S.H.J.

R.L.S. No.:
Date:
Scale:

6-24-15
1"=80'

Sheet No.

1 of 1

EXHIBIT T →



EXHIBIT T ←



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Adamantiades, Mikhail[Adamantiades.Mikhail@epa.gov]
From: Wilson, Holly
Sent: Fri 2/13/2015 7:46:45 PM
Subject: Follow-up from Clean Power Plan Training on October 30, 2014
[Docket Cover Sheet.docx](#)
[Emission Comparison between Natural Gas Combined Cycle \(NGCC\) and Conven....docx](#)
[NEEDSv513 Subset Data 2 9 2015.\(2\).xlsx](#)
[New Combined Cycle Units since 2010.2 9 2015.xlsx](#)

Hello All,

EPA is hosting a webinar to follow up with participants from the **Clean Power Plan Training** held on October 30, 2014 in Crystal City, VA. The webinar will be **Friday, February 27, 2015 from 1:00 pm -2:30 pm (Eastern Time)**. The goal of the webinar is to discuss the attached materials that you requested at the workshop. These materials are also available in the docket to the rulemaking. To participate in the webinar, please dial the toll free number [Redacted] **Ex. 6 - Personal Privacy** The **Adobe Connect URL will be emailed to you 1 week prior to the webinar.**

For more information on this webinar please contact: Holly Wilson at wilson.holly@epa.gov or 919-541-5624.

Cheers,

Holly

++++
Holly Wilson, Lead
Community Air Program
Outreach and Information Division
Office of Air Quality Planning and Standards
U.S. Environmental Protection Agency
MD: C304-03, RM: C-305K

Research Triangle Park, NC 27711
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To: Fritz, Matthew[Fritz.Matthew@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Dorka, Lilian[Dorka.Lilian@epa.gov]; Garbow, Avi[Garbow.Avi@epa.gov]; Tejada, Matthew[Tejada.Matthew@epa.gov]
Cc: Alexis Andiman[aandiman@earthjustice.org]; 'Haddix, Elizabeth McLaughlin (emclaugh@email.unc.edu)'[emclaugh@email.unc.edu]; 'Ducharme, Brent'[ducharme@email.unc.edu]; 'Dorosin, Mark (dorosin@email.unc.edu)'[dorosin@email.unc.edu]; HALIM-CHESTNUT, NAIMA[Halim-Chestnut.Naima@epa.gov]; 'mcteer_toney.heather@epa.gov'[mcteer_toney.heather@epa.gov]
From: Marianne Engelman Lado
Sent: Fri 8/19/2016 9:50:11 PM
Subject: Request for a Meeting

Dear Mr. Fritz, Mr. Garbow, Mr. Ali, Ms. Dorka, and Mr. Tejada,

I'm writing on behalf of the North Carolina Environmental Justice Network, REACH and Waterkeeper Alliance, Inc. to request a meeting to discuss the impact of swine facilities in Eastern North Carolina operating under the state permit granted by North Carolina's Department of Environmental Quality (DEQ) and, particularly, the status of the investigation into whether DEQ violated Title VI and EPA regulations in permitting more than 2,000 swine CAFOs without conducting a disparate impact analysis and without sufficient protection of people's health and the environment, all of which has a disparate impact on the basis of race and national origin.

Complainants have invited OCR to come to North Carolina to speak with them and tour the area as part of its investigation, but OCR has not yet visited the community. At this point, also, almost two years have passed since we filed the complaint. The investigation is something of a black box for complainants, so it is hard to know whether the investigation is proceeding in a thorough and diligent way. Our clients want to convey to EPA directly how this permit daily affects their lives and request a meeting for this purpose. Representatives of each group are willing to travel to Washington to meet with you. As you know, it's often helpful to get into a room together to discuss an issue. We were hoping to find a date in September, which marks the second anniversary of the filing date.

Please let me know the best way to proceed with making arrangements for the meeting and who might serve as a point person in order to put a date on the calendar. I'm also cc'ing my co-counsel at Earthjustice and the UNC School of Law Center for Civil Rights.

I appreciate your attention.

Best,

Marianne

Marianne Engelman Lado

Senior Staff Attorney

Earthjustice

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Cc: Ali, Mustafa[Ali.Mustafa@epa.gov]; [Ex. 6 - Personal Privacy] Beard, Sharon (NIH/NIEHS) [E][beard1@niehs.nih.gov]; cknox@pgcc.edu[cknox@pgcc.edu]; Congdon, Rachel[Congdon.Rachel@epa.gov]; Foti.James@dol.gov[Foti.James@dol.gov]; Grafton, Bernadette[Grafton.Bernadette@epa.gov]; jfrederick@usw.org[jfrederick@usw.org]; jfyoung@rcn.com[jfyoung@rcn.com]; jose@comingcleaninc.org[jose@comingcleaninc.org]; King, Marva[King.Marva@EPA.GOV]; knoxca@pgcc.edu[knoxca@pgcc.edu]; kshahyd@nrdc.org[kshahyd@nrdc.org]; larry.williams.ir@sierraclub.org[larry.williams.jr@sierraclub.org]; [Ex. 6 - Personal Privacy] Mckelvey, Laura[Mckelvey.Laura@epa.gov]; Pendse, Sabina[Pendse.Sabina@epa.gov]; phull@chpc2.org[phull@chpc2.org]; rubin.patterson@howard.edu[rubin.patterson@howard.edu]; s.tyree@wvhub.org[s.tyree@wvhub.org]; sydney@greenforall.org[sydney@greenforall.org]; tfields@michaelbaker.com[tfields@michaelbaker.com]; tfields@michaeldbaker.com[tfields@michaeldbaker.com]; Wilson, Holly[Wilson.Holly@epa.gov]; Wright, Rhonda[Wright.Rhonda@epa.gov]
From: [Ex. 6 - Personal Privacy]
Sent: Fri 8/19/2016 12:42:34 PM
Subject: Re: Just Transition Workforce Development Training Track for the 2016 National Funding and Resources Training Summit to Revitalize Vulnerable Communities

Hi Chip
The description looks good to me. Thx

Donele

On Friday, August 19, 2016, Hughes, Chip (NIH/NIEHS) [E] <hughes3@niehs.nih.gov> wrote:

Comments welcomed.

Organizer: Hughes, Chip (NIH/NIEHS) [E]
When: 4:30 PM - 5:30 PM August 25, 2016
Subject: Just Transition Workforce Development Training Track for the 2016 National Funding and Resources Training Summit to Revitalize Vulnerable Communities
Location: [Ex. 6 - Personal Privacy]

Sent from my BlackBerry 10 smartphone.

To: Ali, Mustafa[Ali.Mustafa@epa.gov]; [Ex. 6 - Personal Privacy] Beard, Sharon (NIH/NIEHS) [E][beard1@niehs.nih.gov]; cknox@pgcc.edu[cknox@pgcc.edu]; Congdon, Rachel[Congdon.Rachel@epa.gov]; [Ex. 6 - Personal Privacy] donele@greendoorinitiative.org[donele@greendoorinitiative.org]; Foti.James@dol.gov[Foti.James@dol.gov]; Grafton, Bernadette[Grafton.Bernadette@epa.gov]; jfrederick@usw.org[jfrederick@usw.org]; [Ex. 6 - Personal Privacy] jose@comingcleaninc.org[jose@comingcleaninc.org]; King, Marva[King.Marva@EPA.GOV]; knoxca@pgcc.edu[knoxca@pgcc.edu]; kshahyd@nrdc.org[kshahyd@nrdc.org]; larry.williams.jr@sierraclub.org[larry.williams.jr@sierraclub.org]; [Ex. 6 - Personal Privacy] Mckelvey, Laura[Mckelvey.Laura@epa.gov]; Pendse, Sabina[Pendse.Sabina@epa.gov]; phull@chpc2.org[phull@chpc2.org]; rubin.patterson@howard.edu[rubin.patterson@howard.edu]; s.tyree@wvhub.org[s.tyree@wvhub.org]; sydney@greenforall.org[sydney@greenforall.org]; tfields@michaelbaker.com[tfields@michaelbaker.com]; tfields@michaeldbaker.com[tfields@michaeldbaker.com]; Wilson, Holly[Wilson.Holly@epa.gov]; Wright, Rhonda[Wright.Rhonda@epa.gov]
From: Hughes, Chip (NIH/NIEHS) [E]
Sent: Fri 8/19/2016 12:37:58 PM
Subject: Just Transition Workforce Development Training Track for the 2016 National Funding and Resources Training Summit to Revitalize Vulnerable Communities
[Track 1 Transition Description.docx](#)

Comments welcomed.

Organizer: Hughes, Chip (NIH/NIEHS) [E]
When: 4:30 PM - 5:30 PM August 25, 2016
Subject: Just Transition Workforce Development Training Track for the 2016 National Funding and Resources Training Summit to Revitalize Vulnerable Communities
Location: [Ex. 6 - Personal Privacy]

Sent from my BlackBerry 10 smartphone.

DRAFT

Track 1 Description – Just Transition Workforce Development Training (8/19/16)

Track 1 will provide participants with an understanding of Just Transition Workforce Development Training and Job Creation. Sessions will be provided in this Track which address the just transition training concept, major workforce development training opportunities, training challenges, workforce development best practices, workforce training and job creation solutions, discrimination in the workplace, the special needs of low-income, minority, and Tribal communities in job training programs, community benefit agreements, and the economic impact of workforce development training programs. The Track will feature a diverse group of facilitators and speakers from government agencies, academic institutions, community-based organizations, environmental organizations, and labor organizations with outstanding expertise on workforce development training and job creation issues. The track will also provide a summary of major resources and tools available to communities and other stakeholders to implement effective workforce development training and job creation programs. Track 1 participants will learn how workforce development training and job creation can be effective tools in revitalizing vulnerable communities, and achieving sustainable development goals.

To: Dorka, Lilian[Dorka.Lilian@epa.gov]
Cc: Ali, Mustafa[Ali.Mustafa@epa.gov]; gupta.vanita@usdoj.gov[gupta.vanita@usdoj.gov]; 'Neal, Daria (CRT)'[Daria.Neal@usdoj.gov]; Irene Gutierrez[igutierrez@earthjustice.org]; Leah Aden (laden@naacpldf.org)[laden@naacpldf.org]; nrobertson@ggu.edu[nrobertson@ggu.edu]; Jonathan J. Smith[jjsmith@earthjustice.org]; Haragan, Kelly L (kharagan@law.utexas.edu)[kharagan@law.utexas.edu]; John Philo (jphilo@sugarlaw.org) (jphilo@sugarlaw.org)[jphilo@sugarlaw.org]; Zee, M. Andrew (CIV) (M.Andrew.Zee@usdoj.gov)[M.Andrew.Zee@usdoj.gov]; Pieh, Lusenil[Pieh.Lusenil@epa.gov]
From: Marianne Engelman Lado
Sent: Mon 6/6/2016 1:55:53 PM
Subject: Community Engagement in Title VI Investigations
[EJ Letter to OCR re Consultation 06 06 16.pdf](#)

Dear Ms. Dorka:

Attached please find a letter submitted on behalf of St. Francis Prayer Center, Californians for Renewable Energy, Sierra Club Lone Star Chapter, Citizens for Alternatives to Radioactive Dumping and Ashurst Bar/Smith Community Organization.

We appreciate the effort made on Friday to inform complainant CARE of the EPA's intent to issue a resolution letter before such letter became public. At the same time, EPA's failure to engage CARE and community stakeholders earlier in the process repeated many of the same mistakes that have plagued the Office of Civil Rights (OCR) in the past. Complainants had planned to send a letter to reiterate their request that OCR engage Complainants in the investigation process even before last Friday's call regarding the CARE complaint. That call, however, added to the sense of urgency. Complainants implore the OCR to take a different path: OCR's activities must adhere to its goals and the principles of environmental justice – that is, members of affected communities must have “an opportunity to participate in decisions about activities that may affect their environment and/or health” and decision-makers must “seek out and facilitate the involvement of those potentially affected.” See <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>.

Thank you for your attention. Complainants would welcome the opportunity to discuss the issues raised in the letter, their Title VI Complaints and a path forward.

Sincerely,

Marianne

Marianne Engelman Lado

Senior Staff Attorney

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June 6, 2016

VIA ELECTRONIC MAIL

Lilian Dorka
Interim Director, Office of Civil Rights
U.S. Environmental Protection Agency
1200 Pennsylvania Ave N.W.
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Washington, DC 20460
dorka.lilian@epa.gov
By Mail and Email

Re: *Community Engagement in the Title VI Investigations in St. Francis Prayer Center, Case No. 01R-94-R5; Californians for Renewable Energy, Case No. 02R-00-R9; Sierra Club Lone Star Chapter, Case No. 01R-00-R6; Citizens for Alternatives to Radioactive Dumping, Case No. 09R-02-R6; and Ashurst Bar/Smith Community Organization, Case No. 06R-03-R4.*

Dear Ms. Dorka:

On behalf of St. Francis Prayer Center, complainant in Case No. 01R-94-R5; CALifornians for Renewable Energy ("CARE"), complainant in Case No. 02R-00-R9; Sierra Club Lone Star Chapter, complainant in Case No. 01R-00-R6; Citizens for Alternatives to Radioactive Dumping ("CARD"), complainant in Case No. 09R-02-R6; and Ashurst Bar/Smith Community Organization, complainant in Case No. 06R-03 (collectively, "Complainants"), Earthjustice and co-counsel submit this letter urging the U.S. Environmental Protection Agency ("EPA") and its Office of Civil Rights ("OCR") to engage with Complainants and other community stakeholders as OCR reinitiates investigations and moves toward resolution of their civil rights complaints.

As you may be aware, Complainants also filed the complaint in the pending action *CALifornians for Renewable Energy v. EPA*, Case No. 15 cv 03292 (N.D. Cal.) ("*CARE v. EPA*"), which alleges that EPA unreasonably delayed in investigating the five Title VI complaints filed by Complainants and accepted for investigation at least ten and as much as twenty-one years ago (the "Title VI Complaints"). As of the date of this letter, the matter remains referred to Magistrate Judge Laurel Beeler for settlement. Regardless of whether this matter is resolved by settlement or litigation, *Complainants strongly urge that OCR actively involve them and members of*

the affected communities in OCR's ongoing investigations and any resolution of the five underlying Title VI Complaints.

From the dates they filed their Title VI Complaints to the present, Complainants have been animated by the hope that OCR will conduct thorough, not just *pro forma*, investigations and carry out its responsibility to enforce Title VI of the Civil Rights Act of 1964. But on June 3, 2016, OCR informed Complainants that it intended to issue a letter that would resolve the CARE Complaint, one of the five underlying Title VI Complaints, *without engaging in any renewed consultation or engagement* with the complainants or the affected community. It is our understanding that EPA may have reinitiated investigations into the other four Title VI Complaints, as well, and may similarly be moving toward resolution of these other Title VI Complaints without engaging Complainants. We urge OCR not to make this mistake.

Complainants have repeatedly asked EPA to engage them as key stakeholders in the investigative process. But to date, Complainants are aware of only one other instance in which OCR has contacted or interviewed Complainants in the underlying Title VI Complaints since the filing of the suit. That instance consisted of one telephone conference with the complainants in the Ashurst Bar/Smith Complaint in February 2016. Despite complainant Ashurst Bar/Smith Community Organization's request to discuss the investigation and potential remedies broadly, OCR sought to circumscribe the February call to a rote set of investigatory questions about individual experiences. Aside from this February 2016 call and OCR's June 3, 2016, call to convey that it was resolving the CARE Complaint, neither Complainants nor Complainants' counsel are aware of any other instances of OCR contacting Complainants or affected community members in the underlying Title VI Complaints since they filed the litigation or OCR reinitiated the investigations. OCR's intent to resolve the CARE Complaint without fully investigating the underlying allegations or hearing from the affected community about conditions today confirms Complainants' worst fears, that OCR would go through the motions of investigating and/or move toward preliminary or final resolution of the investigations, without further input from Complainants or other stakeholders.

A failure to engage with Complainants and affected communities during the Title VI investigation process is problematic and threatens to undermine the effectiveness of OCR's efforts for a number of reasons. First, the agency actions complained of in the Title VI Complaints took place in each case more than a decade ago. Given the passage of time, any investigation will be all the more difficult – witnesses are no longer available, memories become clouded, and documentation is harder to find. Complainants and community members are among the most knowledgeable resources to help OCR determine which allegations or impacts remain relevant, and whether time and conditions may have affected the salience of some allegations or impacts in the years since the filing of the Title VI Complaints.

Moreover, in each case the lingering effects of the challenged actions remain and Complainants and other community members are also in the best position to share information about what is happening today and potential remedies. Given that each community has had to

live with the impacts of the challenged action during the long pendency of its complaint, investigations into what happened so long ago will not at this point fully redress the alleged violations by recipients of federal funds, nor EPA's unreasonable delay. Yet recipients of federal funds should nonetheless be accountable for discriminatory policies and practices, and the continuing effects of such policies and practices should be addressed.

Consider the impacts of OCR's failure to investigate the St. Francis Prayer Center's allegation that the Michigan Department of Natural Resources ("MDEQ"), a recipient of federal funding, discriminated against residents of the City of Flint on the basis of race, color, and national origin. Life might have been different for Flint residents had OCR taken timely action on allegations that MDEQ failed to comply with civil rights law. Instead, children have been raised in the shadow of the Genesee Power Station and MDEQ understood that there would be no accountability for civil rights violations. These issues are not unique to Michigan, however. OCR's failures have meant that, similarly, children have grown up in the shadow of the expanded refinery in Beaumont, Texas; lived across the street from the Stone's Throw Landfill in Tallahassee, Alabama; and attended schools downwind from two power stations with repeated air-emission violations in Pittsburg, California, the subject of the CARE Complaint. State and regional recipients of federal funds continue to grant permits to facilities in low-income communities of color while allegations that these same recipients are failing to comply with the procedural requirements of the law remain unresolved. The communities at the heart of the Title VI Complaints continue to be burdened by the negative impacts to human health and quality of life brought about by these decades-old decisions. The policies and procedures of these same agencies threaten to disproportionately burden communities on the basis of race and national origin in other contexts. Any attempts by OCR to resolve these Title VI Complaints would be foolhardy – not in the best interest of the Complainants, nor their neighbors, nor EPA -- if they were not informed by up-to-date information by the Complainants and other community stakeholders.

Moreover, communication and engagement with affected communities is good practice that builds trust between communities and OCR and confidence in the Title VI process generally. Complainants here, and many other parties that have filed Title VI complaints with EPA, are disheartened by a system that seems to ignore the very people the law was meant to protect. These complainants lose faith in a system that either fails to resolve the complaints at all – as in the instant situations to date – or resolves the complaints in a manner that is unresponsive to the complainants' actual injuries – as occurred in EPA's resolution of the *Angelita C.* complaint.¹ Indeed, it appears that OCR has failed to learn any lesson from the experience of moving forward with a resolution of *Angelita C.* after more than a decade without

¹ See Center for Race, Poverty & the Environment, *A Right Without a Remedy: How the EPA Failed to Protect the Civil Rights of Latino Schoolchildren*, at 17 (2016), https://www.dropbox.com/s/a3tc4ehd01c5fx0/Right%20without%20a%20Remedy%20FINAL_optimized.pdf?dl=0 (EPA's flawed investigation and settlement, which, among other things, included the exclusion of complainants from the investigation and resolution process, "compounded the harm from the decade-long investigation.").

consulting with complainants. Though Complainants have not yet received or reviewed OCR's letter resolving the CARE Complaint, it seems history is repeating itself. The news that EPA is moving forward without engaging CARE and other community-based stakeholders again raises serious concerns about OCR's civil rights compliance and enforcement program. This mismanagement of Title VI enforcement can have a chilling effect on community members that suffer environmental harms in violation of their civil rights, but who find no reason to initiate a Title VI process that they believe will ultimately prove nonresponsive. Implementation of Title VI does not have to be this way: other federal agencies such as the U.S. Department of Transportation have taken a lead in engaging with complainants and community members during the investigation and resolution process to ensure that complaints are resolved fairly for all parties involved.²

Engaging Complainants is critically important to the conduct and quality of the five investigations at issue in the litigation, particularly given the potential effects of the passage of time on the possibility of conducting a meaningful investigation. At the same time, these principles hold true for all Title VI complaints accepted for investigation by EPA. Complainants' lawsuit included a pattern and practice claim because, unfortunately, EPA's record reflects a systematic failure to conduct investigations in a timely or meaningful way. It violates both the letter and spirit of the law to conduct *pro forma* investigations to give the appearance that OCR is meeting deadlines.

EPA has reiterated that one of the EPA's goals in its enforcement of Title VI "is to promote appropriate involvement by complainants and recipients in the External Compliance complaint process." See EPA, Interim Case Resolution Manual 14 (Dec. 15, 2015), https://www.epa.gov/sites/production/files/2015-12/documents/ocr_crm_final.pdf; EPA, Role of Complainants and Recipients in the Title VI Complaint and Resolution Process 2 (May 4, 2015), <https://assets.documentcloud.org/documents/2178959/final-roles-of-complainants-and-recipients-issue.pdf>. Similarly, EPA stresses that under the principles of environmental justice, "meaningful involvement" means that "[p]eople have an opportunity to participate in decisions about activities that may affect their environment and/or health" and "[d]ecision makers will

² See Erin Gaines & Kelly Haragan, "Using Civil Rights Laws for Environmental Justice Along the Texas Gulf Coast," (May 2016), available at <http://povertylaw.org/clearinghouse/stories> (noting that, during Federal Highway Administration's investigation of Title VI complaint, "[a] civil rights investigator visited Hillcrest several times to meet with residents about the participation process, the potential impact from the bridge, and hoped-for outcomes. This serious investigation and the delay in a billion-dollar transportation project proved to be the leverage that led to settlement discussions with various local and state governmental stakeholders."); see also Texas Housers, "Justice in Corpus Christi: Residents of Segregated Neighborhood Win Historic Civil Rights Agreement," <https://texashousers.net/2015/12/28/justice-in-corpus-christi-residents-of-segregated-neighborhood-win-historic-civil-rights-agreement/> (video, at 1:13, describing how the citizens alliance worked with the Federal Highway Administration OCR in a process that involved a lot of "back and forth" and "a lot of long hours" of providing input into a mitigation agreement).

seek out and facilitate the involvement of those potentially affected.” EPA, Learn About Environmental Justice, <https://www.epa.gov/environmentaljustice/learn-about-environmental-justice>. EPA must not stray from its goals for implementing Title VI and the principles of environmental justice with respect to OCR’s investigation into these five Title VI administrative complaints. We thus strongly urge OCR to contact, seek input from, and provide feedback to Complainants and other affected community members to inform any investigation and prior to resolution of any of the Title VI Complaints that underlie the *CARE v. EPA* action. We strongly urge OCR to refrain from completing any investigation or resolving the CARE Complaint or any of the other long-delayed cases that are the subject of the Title VI Complaint, and first consult with Complainants and the community to determine the proper scope of the investigation, have the opportunity to benefit from relevant evidence, and consider what remedial options might best address adverse impacts caused by the challenged actions, policies and practices over time.

Sincerely,

A handwritten signature in dark ink, appearing to read 'M Engelman Lado', with a stylized flourish at the end.

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To: Ali, Mustafa[Ali.Mustafa@epa.gov]
Cc: Martin, KarenL[Martin.KarenL@epa.gov]
From: Leslie Fields
Sent: Mon 2/22/2016 1:16:39 PM
Subject: Re: Fwd: Can we reschedule our meeting in Feb 15?

Hi

We're looking forward to our meeting at 10am. Which address and entrance should we go to?
Thanks Leslie

On Feb 1, 2016 4:29 PM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:

Karen,

Can we get the meeting with Leslie & others rescheduled.

Sent from my iPhone

Begin forwarded message:

From: Leslie Fields [Ex. 6 - Personal Privacy]
Date: February 1, 2016 at 2:57:31 PM EST
To: Mustafa Ali <ali.mustafa@epa.gov>
Subject: Can we reschedule our meeting in Feb 15?
Reply-To: Leslie Fields [Ex. 6 - Personal Privacy]

Hi Mustafa

Can we reschedule our meeting that was canceled because of the blizzard to Feb 15? Thanks, Leslie

To: Chandra Taylor[ctaylor@selcnc.org]; hughes3@niehs.nih.gov[hughes3@niehs.nih.gov]; Christopher Heaney[Ex. 6 - Personal Privacy]; Cooper, John[Ex. 6 - Personal Privacy]; Courtney Woods[Ex. 6 - Personal Privacy]; Peurifoy, Cynthia[Peurifoy.Cynthia@epa.gov]; [Ex. 6 - Personal Privacy]; Denny Larson [denny@gcmonitor.org]; Donna-Maria Harris[donna-maria.harris@raleigh.nc.gov]; Gayatri Ankem[gayatri@cleanaircarolina.org]; Greg Nelson[info@messages.whitehouse.gov]; Harley Truax[hawleyt@zsr.org]; Katie Moore[katie@labucketbrigade.org]; Mckelvey, Laura[Mckelvey.Laura@epa.gov]; Linda Birnbaum[birnbaum@niehs.nih.gov]; Marianne Engle Lado[mengelmanlado@earthjustice.org]; Michael Curtis[michael.curtis@gapac.com]; Mike Hannigan[hannigan@colorado.edu]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Nicky Sheats[nsheats@tesc.edu]; Omari Wilson[omari@landloss.org]; Omega Wilson[Ex. 6 - Personal Privacy]; Sacoby Wilson[swilson2@umd.edu]; Sarena Seifer[Ex. 6 - Personal Privacy]; Sharon Beard[beard1@niehs.nih.gov]; Steve Wing[Ex. 6 - Personal Privacy]; Steven Hamburg - EDF [shamburg@edf.org]; Tejada, Matthew[Tejada.Matthew@epa.gov]; Udaysankar S. Nair[Ex. 6 - Personal Privacy]; Wilson, Holly[Wilson.Holly@epa.gov]
Cc: Omega Wilson[Ex. 6 - Personal Privacy]
From: [Ex. 6 - Personal Privacy]
Sent: Wed 6/25/2014 6:54:47 PM
Subject: EPA Air Sensors 2014 Workshop
[Omega Wilson WERA POSTER Abstract - Air Sensors-2014 - EPA RTP June 9 - 10 2014.docx](#)
[West End Revitalization Association - NCDOT - 119 Bypass Overpass Corridor Map 4-miles Mebane NC.pdf](#)
[Omega Wilson WERA Article - Lack of Basic Amenities NC Medical Journal 5-20-2011.pdf](#)

ALERT: WERA needs your input on a “Environmental Justice Multi-Media Interagency Monitoring Model” for government funded construction projects

TO: Environmental Justice Collaborative Partners

RE: EPA RTP Air Sensors 2014 Workshop: A New Frontier *Monitoring Technology for Today's World* - June 9-10, 2014: <https://sites.google.com/site/airsensors2014/home>

We would like to update all of you whom we met at the EPA Air Sensors Workshop and our partners who were not able to attend. Specifically, we would like to share comments and interactions that we received regarding our WERA poster on the multi-media and interagency impacts the planned one-billion dollars 119-bypass/overpass interstate corridor would have on residents of two African American and Native American communities that date back into slavery over 150 years ago.

The poster of the NCDOT corridor is attached. WERA's concern is that new and current technologies at this workshop does not address real time impacts to air, water, soil, and

human and wildlife exposures that are responsibilities to more than one agency funded with federal and state tax dollars. Since taxpayers' money is funding approved per EIS documents, there should be appropriations to support multi-media monitoring for: a) baselines, b) "emission shock" for years of construction, and c) and on-going impacts of this completed 8-lanes 27-mile "Goods Movement" corridor that will cross at least 19 waterway/stream in the first four miles in Mebane, NC.

Comments offered on WERA's poster and use of new sensor technologies:

1. Did you know that this workshop addressed only air quality?
2. The multi-media sensor model would help sustain impacted communities (from North Carolina, Tennessee, Alabama, Colorado, California).
3. Only universities are equipped to conduct this three level model in real time (government and university agencies participants).
4. My technology company has the capacity to implement the WERA multi-media model (this company representative refused to give his name or business card after asking a number of questions).
5. The "emission shock" during construction is very important because significant impacts are to construction workers with minimum protective measures in place (EPA scientists).
6. WERA will need the legal leverage of a national organization like EarthJustice or the Environmental Defense Fund as a compliance gap per federal and state agencies and technology corporations receiving tax appropriations.

NOTE: The three attachments will provide background on WERA's technologies sensor barriers: poster abstract, NCDOT map, and WERA article on health impacts.

As your schedules permit, we would appreciate your ideas, inputs, and measurable solutions,

Omega & Brenda Wilson and WERA Collaborative Partners

Are you getting the basic amenities your taxes paid for?

Omega R Wilson, Environmental Justice Consultant - Cell (336) 675-1608

West End Revitalization Association-WERA

PO Box 661

Mebane, NC 27302

Email: wera1usa@earthlink.net

Weblink: www.wera-nc.org

Lack of Basic Amenities: Indicators of Health Disparities in Low-Income Minority Communities and Tribal Areas

Omega Wilson

North Carolina has numerous low-income minority communities and tribal areas where basic public health amenities are lacking. Disparities in clean air, safe drinking water, and toxin-free soil create human exposures that result in poor health, depressed property value, and more contaminated environments than are present in higher income communities.

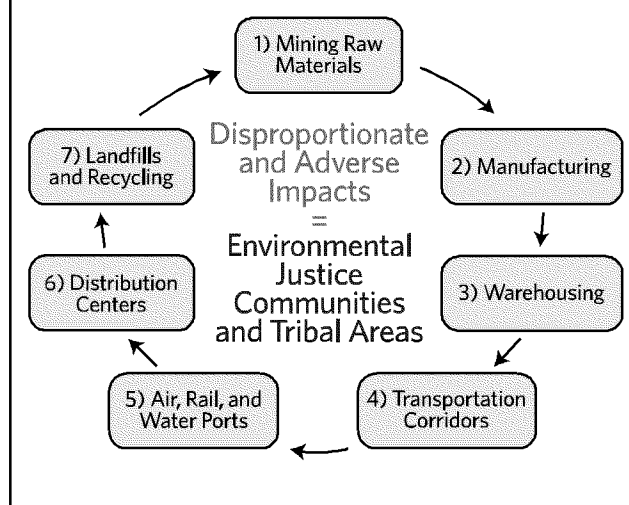
As a cofounder of the West End Revitalization Association (WERA; Mebane, NC), I have worked with legal, public health, university, foundation, and government partners to install first-time sewer and safe drinking water services, to pave dirt streets, and to remove underground storage tanks leaking petroleum and cancer-causing benzenes and xylenes [1]. As a member of the USEPA's National Environmental Justice Advisory Council (NEJAC) during 2007-2010, I provided input on interagency policy and compliance for air, water, and soil in low-income minority communities and tribal areas. The NEJAC's Goods Movement Workgroup involved air, maritime, and rail ports and highway corridors that adversely affect low-income minority communities and tribal areas [2].

The Obama-Biden transition team requested my input, on December 16, 2008, in its Environmental Justice Forum [3]. I served as the first community planner/leader of the Community/Tribal Facilitated Strategy track at the EPA's 2010 Conference on Environmental Justice, Air Quality, Goods Movement, and Green Jobs: Evolution and Innovation. After I submitted the principles and recommendations of our community-facilitated strategies (CFS), the EPA designated WERA as the national prototype for empowering the "community voice" against transportation-corridor environmental hazards (Figure 1) [4].

Collaborative Partnerships

To improve the quality of life in low-income minority communities and tribal areas, North Carolina must address institutional barriers of old-South cultural and racial legacies and "primacy" or "states' rights" over federal statutes. It is time to form collaborative problem-solving (CPS) partnerships that move advocacy to activism and that translate common knowledge about health disparities into effective

figure 1.
Sources of Environmental Factors That Adversely Affect Health



strategies, to eliminate hazards with measureable outcomes (Figure 2) [5].

My 17 years as an environmental justice activist, a member of the North Carolina Environmental Justice Network, and a federal advisor give me an affected stakeholder's account of the denial of basic amenities and failure of enforcement of federal public health statutes. CPS partners should perform the following activities to solve public health problems associated with a lack of access to basic amenities: identify North Carolina General Assembly members, health care leaders, and industry innovators willing to sponsor a collaborative bill on health disparities and enforcement of federal public health statutes; address states' rights as a barrier to funding corrective actions in low-income, minority, and tribal areas; and educate lawmakers, public health professionals, and researchers on the legal obligations to support federal environmental policies under the National

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Address correspondence to Mr. Omega Wilson, West End Revitalization Association, PO Box 661, 206 Moore Rd, Mebane, NC 27302 (wera1usa@earthlink.net).

N C Med J. 2011;72(2):145-148. ©2011 by the North Carolina Institute of Medicine and The Duke Endowment. All rights reserved. 0029-2559/2011/72212

figure 2.
Partners to Ensure the Availability of Basic Public Health Amenities



Environmental Protection Act, federal statutes, and health care reform.

Community-Facilitated Strategies

Low-income minority communities in the Mebane, North Carolina, area (ie, Alamance County and Orange County) are similar to other communities and tribal areas that lack basic public health amenities. The denial of or lack of access to “up-to-code” infrastructure (ie, safe drinking water, sewer collection, paved streets, sidewalks, and storm-water management) contributes to disparities in health. Long-term exposure to deficient infrastructure produces more adverse health effects in minority communities with depressed property values than are evident in white and higher-income communities [1, 4].

WERA was incorporated as a 501(c)(3) nonprofit in 1995, and it serves as Mebane’s first EPA “community-based environmental protection model” organization. It has led efforts in African American communities to stop racial discrimination and adverse effects associated with leaking underground storage tanks, unpaved streets, contaminated drinking water, failed backyard septic tanks, and landfills [1, 5-8]. Groundwater and drinking well water could be contaminated by construction of the highway and a 1-mile overpass.

In February 1999, WERA filed administrative complaints, under Title VI of the Civil Rights Act of 1964 and Environmental Justice Executive Order 12898 of 1994, at the US Department of Justice, when local, state, and federal government agencies had, for 16 years and without public input, planned construction of the Highway 119 bypass/interstate. The 4-lane highway, in an 8-lane corridor, would destroy homes and churches in 2 historic communities that had been denied access to basic municipal drinking water and sewer services [1, 5-8].

Water samples were collected from community streams by WERA and were analyzed at the University of North Carolina (UNC)–Chapel Hill Gillings School of Global Public

Health. *Escherichia coli* and other fecal coliform bacteria were detected at levels more than 300 times the standards established by the EPA’s Clean Water Act. Some residential drinking wells and Mebane’s treated water also contained *E. coli* and other fecal coliforms, in violation of the EPA’s Safe Drinking Water Act. Surface-water contamination was tracked to backyard septic systems, which had a failure rate of 50%-100% on some streets; the state average is 11% [1, 5-8].

WERA civil rights complaints, data collection efforts, and CPS partnerships helped leverage millions of dollars in block grants and municipal matching funds for the first-time installation of sewer services for more than 90 houses, for paving dirt streets, for removing underground storage tanks, and for stopping housing construction on a century-old industrial landfill. Residents have been within 2-3 blocks of a sewage treatment plant since the 1920s. The 119-bypass construction has been delayed by a construction moratorium since 1999, to seek continuing environmental-hazards mitigation under federal public health statutes and to document public input. In 3 environmental justice communities, more than 400 houses with backyard septic systems leaking human waste still need first-time safe drinking water and sewer lines [1, 5-8].

In 2008, the National Institute of Environmental Health Sciences awarded a community-university partnership grant to WERA and the Institute for Families in Society at the University of South Carolina–Columbia, to evaluate WERA’s CPS approach and its community-owned and -managed research (COMR) model, used for corrective actions, and to implement measurable results for an improved quality of life [9]. WERA received a National Environmental Justice Achievement Award from the EPA in 2008, for activism related to safe drinking water, surface water, storm-water management, dispute resolution, and civic engagement “beyond the vote” that removed environmental hazards in minority communities.

Environmental Health Disparities

Physical pain from diseases is more readily recognized, diagnosed, and accepted. Less recognizable are the effects of despair, fear, stress, and rage, from years of discrimination and disenfranchisement. Funders encourage WERA to monitor the psychological health effects of years of struggling against old-South cultural barriers in the new South of technological advancements [1].

Successful educators, health care professionals, scientists, and government officials grew up in these polluted communities and carry the legacy of human exposures with them to very-high-income professional lives and wealthy subdivisions. Some of these individuals risk more exposure each time they visit family and friends at the old “home place.”

Overcoming Barriers to Solutions

Mebane is recognized as the fastest-growing city in Alamance County, with developments in Orange County

table 1.**Policy Priorities to reduce the Prevalence of Environmental Hazards and Disparities in Health Care**

Policy priority	Reference(s)
Implement WERA's CFS, to leverage hazard reduction or elimination through the legal protection and redress offered by federal laws.	[1, 3, 4]
Expand the "right to basic amenities movement," to improve the missing, failed, and substandard infrastructure that produces disparities in health and depressed property values.	[1]
Incorporate environmental justice and basic public health amenities in federal, state, and local laws, with measurable outcomes.	[1, 3, 4]
Remove states' rights barriers to federal funding used to challenge transportation, infrastructure, and other land use projects that can create or exacerbate environmental hazards for low-income and minority residents.	[1, 3, 4]
Remove state laws that permit or create disadvantages for residents in extraterritorial jurisdiction or unincorporated areas, including low-income minority and farmland areas, in the planning and zoning for highways, landfills, and polluting industries.	[1, 7]
Establish WERA's Right to Basic Amenities Collaborative Institute for replicating COMR, CFS, and CFS models and strategies in other low-income minority and tribal areas in North Carolina and the southeast; ground-truthing databases to measure death, suffering, and solutions in site-specific populations; and increasing the environmental literacy necessary to respond to environmental-impact statements, health-impact assessments, and human-exposure studies.	[1, 4]
Develop new policies for EPA, US Department of Agriculture, US Food and Drug Administration, and other government agencies that permit spraying or spreading of human sewage sludge on farmland to fertilize human food crops. There are increasing numbers of reports of health effects from exposure to human sludge.	[10-12]
Develop new policies to address the situation wherein university and government researchers take 50%-97% of federal grants without funding equity and management parity for environmental justice organizations and community investigators.	[1-8]
Create new policies to remediate areas where major agribusinesses, livestock farming, and manure pits disproportionately and adversely impact human health, contaminate ground water and river basins, reduce air quality, and depress residential and small-business property values.	[3, 11, 12]
Generate new policies regarding sites of raw-materials mining, landfills, and recycling centers, which are disproportionately located in low-income minority communities and tribal areas (Figure 1).	[13, 14]
Note. CFS, community-facilitated strategies; COMR, community-owned and -managed research; CPS, collaborative problem-solving; EPA, Environmental Protection Agency; WERA, West End Revitalization Association.	

(the city straddles the counties' shared boundary). North Carolina has many nationally recognized resources, including heavily funded research programs at respected academic institutions; Research Triangle Park, with the EPA's Office of Air Quality and Planning Standards campus, the National Institute of Environmental Health Sciences, and the Biotechnology Center; international business and industry; and billion-dollar financial corporations. These organizations have yet to produce solutions for environmental injustices and disparities in health care.

Three environmental justice communities with which WERA's CPS partners have worked are diverse examples of chronic health and environmental disparities in terms of clean air, safe drinking water, clean surface water, toxin-free soil, and safe disposal of industrial, medical, and pharmaceutical waste. The first community is Mebane (until recently a small mill town), where plans for an 8-lane, 27-mile interstate corridor to Danville, Virginia, the widening of a railroad corridor, and local highway accesses for an industrial park have not fully valued marginalized communities, human health, or environmental safety. The second community is the Rogers Road and Eubanks Road Neighborhood Association in the Chapel Hill and Carrboro area (a high-income university setting), where some of the largest contributors to a landfill with documented contaminated residential drinking wells are UNC Hospitals and public health research facilities at UNC-Chapel Hill. The landfill breeds insects, large rats, and buzzards that deposit feces on cars, houses, and gardens. The third community is the Rural Empowerment Association

for Community Help, in Duplin County (rural area), where hogs in confined animal-feeding operations outnumber humans. Twenty hours per day, the air is filled with a pungent odor of hog waste, agribusiness chemicals, and diesel emissions from transporting live animals, rotten dead animals, and the packaged meat products for US and foreign grocery stores.

The clout of business, industry, university, and government polluters still presents a difficult challenge for current public health policies, legal leverage, and public outcry to overcome in the effort to reduce the prevalence of environmental hazards and disparities in health care. I presented 10 policy priorities to incoming staffers of President-elect Barack Obama's administration that focus on interagency actions to reduce or eliminate environmental contaminants and health care disparities, to enforce health statutes, and to generate new preventive efforts [3] (Table 1).

Cause-effect research often fails to produce conclusive evidence for environmental hazards that contaminate air, water, and soil in areas where many low-income minority residents have lived since slavery ended, in 1865. WERA's successes are demonstrated through innovative community-led models for the reduction and removal of environmental hazards, with site-specific research and legal compliance by local, state, and federal government agencies. WERA's primary focus is to use CPS partnerships to collect the scientific data needed to leverage legal compliance for the reduction of hazards that have become a way of life.

In 2007, Sarena Seifer and Ella Greene-Moton, both of

Community-Campus Partnerships for Health, stated that, "as illustrated by the COMR model, we must overcome deeply entrenched views and policies that serve to maintain university control of the research enterprise, and we must build the research capacity of community-based organizations" [15].

The Republican-led US House of Representatives proposes to cut the budget of the EPA and to relax enforcement guidelines, as well as to repeal health care reforms. North Carolina needs bipartisan support for the installation of basic public health amenities that advance health care.

My experience as a life- and health-insurance agent since 1984 continues to reveal a confidential and up-close view of personal health histories in low-income minority communities, where underwriting decisions often substantially increase premiums, reduce coverage, or result in exclusions that may be related to chronic exposures. This is only a glimpse of the increasing lifetime cost of environmental hazards and health care disparities for minorities.

Successes in the areas addressed in this commentary will require partnerships at the highest levels of government agencies; funding organizations; major medical facilities; business, financial, and industrial institutions; and universities. NCMJ

Omega Wilson, MA environmental justice consultant, West End Revitalization Association, Mebane, North Carolina.

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Presented in part: 2010 Environmental Health Summit; Research Triangle Park, North Carolina; September 28-29, 2010.

Potential conflicts of interest. O.W. has no relevant conflicts of interest.

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EPA's Next Generation Air Monitoring Workshop Series

Air Sensors 2014: A New Frontier Monitoring Technology for Today's World

June 9 & 10, 2014

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Research Triangle Park, North Carolina 27711

ABSTRACT - POSTER

WERA was founded in 1994 and incorporated as 501-(c)(3) non-profit in Mebane, NC. Mission: support access to “basic public health amenities” (clean air, safe drinking water, sewer lines, housing, streets, sidewalks, and storm-water management) for people of color in marginalized communities.

February 10, 1999: WERA filed interagency complaints at U.S. Department of Justice under Title VI of the Civil Rights Act of 1964 and Environmental Justice Executive Order 12898 – 1994. Complaints were filed to support first-time infrastructure installation under the Clean Air Act, Safe Drinking Water Act, Clean Water Act, Resource Conservation and Recovery Act, etc.

WERA challenged the planned 8-lane interstate corridor (27-miles at one billion dollars) that would destroy two historic African and Native American communities, without input or fair compensation for homes and churches. Highway construction would exacerbate public health issues related hundreds of homes and churches adjacent to landfills and sewage treatment without access since 1921.

Innovation and new insights are expected in three areas: a) Community Sensing; 2) Visualizing and interpreting sensor data; and 3) New Perspectives on Sensors.

The increased air quality problems that EPA's Office of Air Quality for Planning Standards has yet to provide research models or mitigation tools that assist WERA on: 1) air quality baseline before highway construction, 2) "*emission shock*" from years of highway construction; and 3) monitoring emissions after the highway is constructed as goods movement vehicles increase to serve an expanding mega-industrial park and new distribution park (2600 acres). This model can help other impacted area before big polluters are permitted and constructed.

SIGN-ON List of TECHNOLOGY EXPERTS & VIEWERS

NAME (print) AGENCY / ORGANIZATION EMAIL

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SIGN-ON List of TECHNOLOGY EXPERTS & VIEWERS

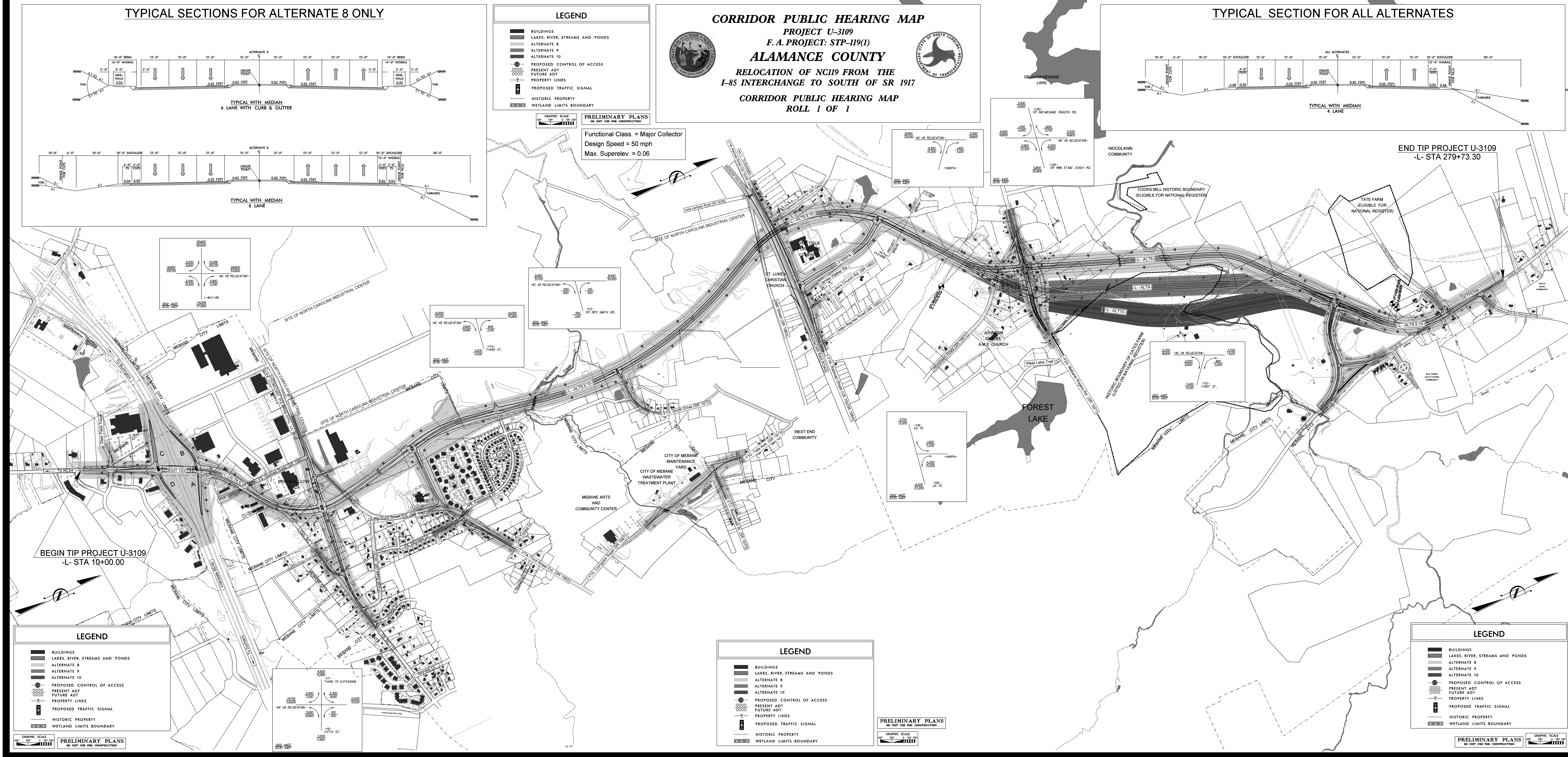
NAME (print) AGENCY / ORGANIZATION EMAIL

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Website: www.wera-nc.org

EPA Blog: <http://blog.epa.gov/ej/2012/12/1005/>

PROJECT U-3109
 F. A. PROJECT: STP-119(1)
ALAMANCE COUNTY
 RELOCATION OF NC119 FROM THE
 I-85 INTERCHANGE TO SOUTH OF SR 1917
 CORRIDOR PUBLIC HEARING MAP
 ROLL 1 OF 1



PROJECT U-3109
F. A. PROJECT: STP-119(1)
ALAMANCE COUNTY
RELOCATION OF NC19 FROM THE
I-85 INTERCHANGE TO SOUTH OF SR 1917
CORRIDOR PUBLIC HEARING MAP
ROLL 1 OF 1

To: Villarreal, Chris[villarreal.chris@epa.gov]
Cc: [Ex. 6 - Personal Privacy]
penn.damon@fema.gov[penn.damon@fema.gov]; josh.sawislak@hud.gov[josh.sawislak@hud.gov];
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Manisha[Ex. 6 - Personal Privacy] [Ex. 6 - Personal Privacy] Robert
Bullard[Ex. 6 - Personal Privacy] [Ex. 6 - Personal Privacy] darryl.malek-
wiley@sierraclub.org[darryl.malek-wiley@sierraclub.org]; Leslie Fields[leslie.fields@sierraclub.org];
Colette Pichon Battle[colette@gccip.org]; Steve Murchie[steve@healthygulf.org]; Elizabeth
Yeampierre[elizabeth@uprose.org]; Steve Fischbach Ext. 182[Ex. 6 - Personal Privacy] Albert
Huang[ahuang@nrdc.org]; cbarnett@healthyschools.org[cbarnett@healthyschools.org]; Yolande
Tomlinson[ytomlinson@ushrnetwork.org]; Jim Raby[Ex. 6 - Personal Privacy]
From: Monique Harden
Sent: Tue 7/15/2014 6:42:10 PM
Subject: EPA Region 6 Finds Plan to Build School on Former Waste Dump in New Orleans "Protective"
[AEHR ltr to EPA Reg 6 Superfund Division 14-07-15.pdf](#)
[AEHR & EPA correspondence 13-10-29 with attachments encl 1.pdf](#)
[AEHR & EPA correspondence 14-01-10 encl 2.pdf](#)
[AEHR & EPA correspondence 14-01-13 encl 3.pdf](#)
[AEHR & EPA correspondence 14-01-22 & 14-01-23 with attachments encl 4.pdf](#)
[AEHR & EPA correspondence 14-02-17 & 14-02-18 with attachments encl 5.pdf](#)
[AEHR & EPA correspondence 14-03-05 with attachments encl 6.pdf](#)

Dear Chris,

Please see the attached letter and enclosures from Advocates Environmental Human Rights, which is in response to the July 8, 2014 letters from the EPA Region 6 Superfund Division. As you aware, the letters from the EPA Region 6 Superfund Division conclude without explanation that a plan to build a school on a former waste dump in New Orleans would be protective of human health and the environment. I would appreciate your assistance in forwarding our email and attachments to the Superfund Division Director.

On behalf of the Walter L. Cohen Alumni Association, we request that the Superfund Division of EPA Region 6 provides the rationale for its conclusion and responds to the each of the health, safety, and environmental issues presented in our letter. We also request that the Superfund Division provide a copy of its response to our letter to all cc'd therein and in this email.

Thank you,
Monique

Monique Harden, Co-Director & Attorney
Advocates for Environmental Human Rights ("AEHR")
832 Topaz Street, New Orleans, LA 70124
Phone 504.799.3060
Fax 504.799.3061
www.ehumanrights.org
mharden@ehumanrights.org

Upholding our human right to live in a healthy environment

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On Thu, Jul 10, 2014 at 9:29 AM, Villarreal, Chris <villarreal.chris@epa.gov> wrote:

Attached please find copies of EPA's response to the June 3, 2014 email which was forwarded to Ms. Phillips of EPA. Signed hard copies of the responses have been sent to General Honore and Ms. Harden, respectively.

Sincerely,

Chris Villarreal

Section Chief, Risk and Site Assessment Section

U.S. Environmental Protection Agency

Superfund Division

Su1445 Ross Avenue

Dallas, Texas 75181-2324

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Martin Hayden
Sent: Fri 8/8/2014 7:13:50 PM
Subject: Thank You

Dear Mr. Ali,

It was nice to meet you yesterday. Thank you for your time and efforts to consider the critical air toxics issue we discussed yesterday and for all you are doing to help bring justice to communities.

It meant a lot to us and to our clients, partners, and allies to have the chance to speak with you about this important topic. Please let us know if there is any additional information or assistance we

can offer that might be useful.

Best regards,

Marty

Marty Hayden

V.P. of Policy and Legislation

Earthjustice

To: Anderson, Israel[Anderson.Israel@epa.gov]; Wilson, Holly[Wilson.Holly@epa.gov];
Brian Butler[brian@airalliancehouston.org];

Ex. 6 - Personal Privacy

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marylee[marylee@leanweb.org];

Adrian[Adrian@airalliancehouston.org];

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dblalock@csuchico.edu[dblalock@csuchico.edu];

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david.cortez@sierraclub.org[david.cortez@sierraclub.org];

kharagan@law.utexas.edu[kharagan@law.utexas.edu]; Wilson, Erika[Wilson.Erika@epa.gov];

bengelbert@skeo.com[bengelbert@skeo.com]; Jones, Toni[Jones.Toni@epa.gov]

Cc: Ali, Mustafa[Ali.Mustafa@epa.gov]; Tejada, Matthew[Tejada.Matthew@epa.gov]; King,

Marva[King.Marva@EPA.GOV]; Donaldson, Guy[Donaldson.Guy@epa.gov]; Aisling,

Kathleen(R6)[Aisling.Kathleen@epa.gov]; Lawrence, Rob[Lawrence.Rob@epa.gov]; Steib,

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Charlotte[Runnels.Charlotte@epa.gov]; Hansen, Mark[Hansen.Mark@epa.gov]; Ndoh,

Tina[Ndoh.Tina@epa.gov]; Martin, KarenL[Martin.KarenL@epa.gov]; Hight,

Cate[Hight.Cate@epa.gov]; Denny, Andrea[Denny.Andrea@epa.gov]; Thompson,

Fred[Thompson.Fred@epa.gov]

From: Wright, Rhonda

Sent: Mon 10/26/2015 6:04:59 PM

Subject: UPDATE ON HOTEL: U.S. EPA's Clean Power Plan Community Training Planning Meeting; Call-in#: Ex. 6 - Personal Privacy

Hello everyone,

The Holiday Inn Express hotel is now BOOKED. However, we were able to reserve a block of rooms at the **TownePlace Suites Beaumont Port Arthur - 409.722.2700**.

The \$89 rate for this block is good until **THURSDAY, OCTOBER 29TH**.

The rooms are going fast, so please reserve your rooms as soon as you can.

Rhonda Wright

U.S. Environmental Protection Agency

Office of Air Quality Planning and Standards

Outreach and Information Division

Community and Tribal Programs Group

109 TW Alexander Drive, Research Triangle Park, NC 27711

Office: (919) 541-1087

Fax: (919) 541-0942

From: Wright, Rhonda

Sent: Monday, October 26, 2015 11:46 AM

To: Anderson, Israel; Wilson, Holly; 'Brian Butler'; Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

marylee; Adrian;

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

ajwfran; Epps-Price, Lena; Mckelvey, Laura;

Ex. 6 - Personal Privacy ; ecraft@edf.org; 'david.cortez@sierraclub.org'; Ex. 6 - Personal Privacy
Wilson, Erika; Ex. 6 - Personal Privacy ; Jones, Toni
Cc: Ali, Mustafa; Tejada, Matthew; King, Marva; Donaldson, Guy; Aisling, Kathleen(R6); Lawrence, Rob;
Steib, Clovis; Blanco, Arturo; Runnels, Charlotte; Hansen, Mark; Ndoh, Tina; Martin, KarenL; Hight, Cate;
Denny, Andrea; Thompson, Fred
Subject: REGISTRATION & HOTEL: U.S. EPA's Clean Power Plan Community Training Planning Meeting;
Call-in#: Ex. 6 - Personal Privacy
Importance: High

Good Morning everyone,

This email is to remind everyone (especially speakers/presenters) who intends to join in on this training, whether it's in person or remotely, PLEASE REGISTER BY OCTOBER 28. Here's how to register (also see the attached announcement):

To register for this training, please contact Jen Cutrona at Jennifer.Cutrona@sra.com or at Ex. 6 - Personal Privacy

<< File: (REVISED FINAL) Announcement on the Clean Power Plan Community Training in Port Arthur, Texas.pdf >>

Also, please reserve your hotel as soon as possible. Here's the hotel information to make your reservation:

Holiday Inn Express Hotel & Suites
3115 Central Mall Drive, Port Arthur, TX
409-853-4114

The federal rate is \$89.00/night. When you call to make your reservation, let them know they have a block of rooms reserved for the "EPA Clean Power Plan Community Training" at the above rate.

We need EVERYONE to register please!

Thank you.

Rhonda Wright
U.S. Environmental Protection Agency
Office of Air Quality Planning and Standards
Outreach and Information Division
Community and Tribal Programs Group
109 TW Alexander Drive, Research Triangle Park, NC 27711
Office: (919) 541-1087
Fax: (919) 541-0942

-----Original Appointment-----

From: Wright, Rhonda

Sent: Tuesday, September 01, 2015 10:47 AM

To: Wright, Rhonda; Anderson, Israel; Wilson, Holly; Brian Butler

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

marylee; Adrian;

Ex. 6 - Personal Privacy

dblalock@csuchico.edu; ajwfran; Epps-Price, Lena; Mckelvey, Laura; ababich@tulane.edu; ecraft@edf.org; david.cortez@sierraclub.org; kharagan@law.utexas.edu; Wilson, Erika;

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Cc: Ali, Mustafa; Tejada, Matthew; King, Marva; Donaldson, Guy; Aisling, Kathleen(R6); Lawrence, Rob; Steib, Clovis; Blanco, Arturo; Runnels, Charlotte; Hansen, Mark; Ndoh, Tina; Martin, KarenL; Hight, Cate; Denny, Andrea

Subject: U.S. EPA's Clean Power Plan Community Training Planning Meeting; Call-in#

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

When: Thursday, October 29, 2015 4:00 PM-5:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where:

Hello everyone,

For those of you who do not know me, my name is Rhonda Wright and I work for the U.S. EPA in the Office of Air Quality Planning and Standards. I'm leading an effort to have a community training in the Port Arthur, TX area on the Clean Power Plan (CPP) recently signed by President Barack Obama. Holly Wilson is the co-lead for this training.

The purpose of this call is to discuss the logistics, but more importantly, to get your buy in. We thank you for agreeing to be a part of this planning team. We want to make sure this workshop is successful and it meets the community needs.

The Federal Plan was proposed at the same time the CPP was signed. We're currently in the public comment period for the Federal Plan. The goal is to have this community training before the end of the public comment period which is expected to be in December 2015/January 2016. Therefore, we are thinking of having the community training in mid or late October 2015. During our planning meeting, we can discuss further in detail what dates we should have this training as well as other logistics.

I look forward to speaking with all of you.

Thank you,

Rhonda

To: Lee, Charles[Lee.Charles@epa.gov]; Lisa Garcia[lgarcia@earthjustice.org]; Tejada, Matthew[Tejada.Matthew@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Riddick, Dorris[Riddick.Dorris@epa.gov]; Batts, Julia[Batts.Julia@epa.gov]
From: Evans, Carlos
Sent: Thur 4/24/2014 4:04:38 PM
Subject: Re: Hey EPA EJ Team!

LISA!!! Great to hear from you! Let's definitely reconnect when you get back. You'll have to tell us how your trip went. Talk to you soon!

P.S.: Isabel says "Hi" (she with me at work).

Carlos R. Evans
Attorney-Advisor
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Mail Code 2201A
Washington, DC 20460
(202) 564-6331

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From: Lee, Charles
Sent: Thursday, April 24, 2014 8:24:00 AM
To: Lisa Garcia; Evans, Carlos; Tejada, Matthew; Ali, Mustafa; Riddick, Dorris; Batts, Julia
Subject: RE: Hey EPA EJ Team!

Hi Lisa

Great to hear from you. Glad you had a great trip to Southeast Asia. Regarding lunch, I told Julia that since she missed your going away lunch, we will do one for her in Chinatown and order all the same things we did the last time. Maybe sometime in May to celebrate AAPI Heritage Month.

All is well at EPA. Bicky Corman is leaving to an undisclosed destination. Will know at some point.

Regards,

Charles

From: Lisa Garcia [mailto:lgarcia@earthjustice.org]

Sent: Wednesday, April 23, 2014 6:24 PM

To: Lee, Charles; Evans, Carlos; Tejada, Matthew; Ali, Mustafa; Riddick, Dorris; Batts, Julia

Subject: Hey EPA EJ Team!

Hi there!

Wanted to say hi and send my new contact info at Earthjustice. I am in the middle of my first week – out here in San Francisco!

My trip to southeast asia was great- and the first days here fun and overwhelming!

We'll have to plan a lunch so we can all get together.

Hope all is well- and that EPA is thriving !

Miss you all and hope to see you all soon!

Tell OEJ I send my love!

Stay in touch,

Lisa

Lisa F. Garcia

Vice President Of Litigation, Healthy Communities

1625 Massachusetts Ave. Nw Ste. 702

Washington, DC 20036-2243

T: (202) 797-5244

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Twitter@Earthjustice



Because the earth needs a good lawyer

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dstewart@thestewartlawpractice.com[dstewart@thestewartlawpractice.com]; Tennessee, Denise[Tennessee.Denise@epa.gov]; Thomas-Burton, Tami[Thomas-Burton.Tami@epa.gov]
From: MaKara Rumley
Sent: Tue 5/27/2014 8:40:45 PM
Subject: Please attend this Community Forum scheduled for this Saturday, June 6th!!
Community Forum Flyer, RSVP copy,.docx

Please attend this community event, flyer attached. Matthew Tejada, Director of EPA's Office of Environmental Justice will be in attendance.

If you have any question, please call Dr. Yomi Noibi, Executive Director of ECO-Action, at Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy



MaKara Rumley

Environmental Justice

Staff Attorney*

GreenLaw

State Bar of Georgia Building
104 Marietta St. NW, Suite 430
Atlanta, Georgia 30303

Ex. 6 - Personal Privacy

mrumley@greenlaw.org

***Not admitted to practice law in the state of Georgia**

***Admitted to practice law in the state of Maryland**

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COMMUNITY FORUM

Saturday, June 7th 2014 9:30am – 3:00pm



Environmental Exposures and Environmental Justice

*Sowing the Seeds of Hope and the Power of Collaboration for
Environmental Health Protection in Our Community*



**Air, Water, Land
Issues**

**Environmental
Justice Concerns**

**Environmental
Justice Policy**

**Community
Leadership**

**Networking &
Action Plan**

**Food Provided
and
Transportation
Available**

**GEORGIA STATE UNIVERSITY
PARKER H. PETIT SCIENCE
CENTER**

155 Decatur St SE,
Atlanta, GA 30303
RSVP by May 30th at

<http://bit.ly/atleiforum>

404-584-6499

Insert Insertnew website

**GEORGIA STATE UNIVERSITY
PARKER H. PETIT SCIENCE
CENTER**

155 Decatur St SE,
Atlanta, GA 30303

RSVP by May 30th at

<http://bit.ly/atleiforum>

404-584-6499

Time: 9:30AM – 3:00PM

To: Anderson, Israel[Anderson.Israel@epa.gov]; Wilson, Holly[Wilson.Holly@epa.gov];
Brian Butler[brian@airalliancehouston.org];

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

marylee[marylee@leanweb.org];

Adrian[Adrian@airalliancehouston.org];

Ex. 6 - Personal Privacy

dblalock@csuchico.edu[dblalock@csuchico.edu];

Ex. 6 - Personal Privacy

Epps-Price,

Lena[Epps-Price.Lena@epa.gov]; Mckelvey, Laura[Mckelvey.Laura@epa.gov];

Ex. 6 - Personal Privacy

ecraft@edf.org[ecraft@edf.org];

david.cortez@sierraclub.org[david.cortez@sierraclub.org];

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Wilson, Erika[Wilson.Erika@epa.gov];

bengelbert@skeo.com[bengelbert@skeo.com]; Jones, Toni[Jones.Toni@epa.gov]

Cc: Ali, Mustafa[Ali.Mustafa@epa.gov]; Tejada, Matthew[Tejada.Matthew@epa.gov]; King,

Marva[King.Marva@EPA.GOV]; Donaldson, Guy[Donaldson.Guy@epa.gov]; Aisling,

Kathleen(R6)[Aisling.Kathleen@epa.gov]; Lawrence, Rob[Lawrence.Rob@epa.gov]; Steib,

Clovis[steib.clovis@epa.gov]; Blanco, Arturo[Blanco.Arturo@epa.gov]; Runnels,

Charlotte[Runnels.Charlotte@epa.gov]; Hansen, Mark[Hansen.Mark@epa.gov]; Ndoh,

Tina[Ndoh.Tina@epa.gov]; Martin, KarenL[Martin.KarenL@epa.gov]; Hight,

Cate[Hight.Cate@epa.gov]; Denny, Andrea[Denny.Andrea@epa.gov]; Thompson,

Fred[Thompson.Fred@epa.gov]

From: Wright, Rhonda

Sent: Mon 10/26/2015 3:45:56 PM

Subject: REGISTRATION & HOTEL: U.S. EPA's Clean Power Plan Community Training
Planning Meeting; Call-in#;

Ex. 6 - Personal Privacy

(REVISED FINAL) Announcement on the Clean Power Plan Community Training in Port Arthur,
Texas.pdf

Good Morning everyone,

This email is to remind everyone (**especially speakers/presenters**) who intends to join in on this training, whether it's in person or remotely, **PLEASE REGISTER BY OCTOBER 28**. Here's how to register (also see the attached announcement):

To register for this training, please contact Jen Cutrona at Jennifer_Cutrona@sra.com or at (703) 284-6054.

Also, please reserve your hotel as soon as possible. Here's the hotel information to make your reservation:

Holiday Inn Express Hotel & Suites
3115 Central Mall Drive, Port Arthur, TX
409-853-4114

The federal rate is \$89.00/night. When you call to make your reservation, let them know they have a block of rooms reserved for the "EPA Clean Power Plan Community Training" at the above rate.

We need EVERYONE to register please!

Thank you.

Rhonda Wright
U.S. Environmental Protection Agency
Office of Air Quality Planning and Standards
Outreach and Information Division
Community and Tribal Programs Group
109 TW Alexander Drive, Research Triangle Park, NC 27711
Office: (919) 541-1087
Fax: (919) 541-0942

-----Original Appointment-----

From: Wright, Rhonda

Sent: Tuesday, September 01, 2015 10:47 AM

To: Wright, Rhonda; Anderson, Israel; Wilson, Holly; Brian Butler; **Ex. 6 - Personal Privacy**

Ex. 6 - Personal Privacy marylee; Adrian;

Ex. 6 - Personal Privacy dballock@csuchico.edu; ajwfran; Epps-Price, Lena; Mckelvey, Laura; ababich@tulane.edu; ecraft@edf.org; david.cortez@sierraclub.org; kharagan@law.utexas.edu; Wilson, Erika; bengelbert@skeo.com

Cc: Ali, Mustafa; Tejada, Matthew; King, Marva; Donaldson, Guy; Aisling, Kathleen(R6); Lawrence, Rob; Steib, Clovis; Blanco, Arturo; Runnels, Charlotte; Hansen, Mark; Ndoh, Tina; Martin, KarenL; Hight, Cate; Denny, Andrea

Subject: U.S. EPA's Clean Power Plan Community Training Planning Meeting; Call-in# **Ex. 6 - Personal Privacy**

Ex. 6 - Personal Privacy

When: Thursday, October 29, 2015 4:00 PM-5:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where:

Hello everyone,

For those of you who do not know me, my name is Rhonda Wright and I work for the U.S. EPA in the Office of Air Quality Planning and Standards. I'm leading an effort to have a community training in the Port Arthur, TX area on the Clean Power Plan (CPP) recently signed by President Barack Obama. Holly Wilson is the co-lead for this training.

The purpose of this call is to discuss the logistics, but more importantly, to get your buy in. We thank you for agreeing to be a part of this planning team. We want to make sure this workshop is successful and it meets the community needs.

The Federal Plan was proposed at the same time the CPP was signed. We're currently in the public comment period for the Federal Plan. The goal is to have this community training before the end of the public comment period which is expected to be in December 2015/January 2016. Therefore, we are thinking of having the community training in mid or late October 2015. During our planning meeting, we can discuss further in detail what dates we should have this training as well as other logistics.

I look forward to speaking with all of you.

Thank you,

Rhonda

Community Training on the Clean Power Plan

(Face-to-Face Meeting)

November 4-5, 2015

The New Community Development Center

Westside Development Center, Lot 501-A

501 Rev. Raymond Scott Avenue, Port Arthur, Texas 77640

Co-Hosted by: Community In-power and Development Association Inc.

The U.S. Environmental Protection Agency (EPA) is pleased to invite you to participate in a community training that will be held on **Wednesday, November 4, 2015 from 8:00am-5:15pm (CST) and Thursday, November 5, 2015 from 9:00am-2:30pm (CST)**. This training will discuss the Clean Power Plan and the first-ever national standards that address carbon pollution from power plants. This training will also focus on what communities need to know about the following:

- State and Federal Plans
- Clean Energy Incentive Program
- The Importance of State Engagement
- Stakeholder Perspective on the Clean Power Plan
- Organizing and Developing Effective Public Comments
- EJ Screen and other Resources
- And much more.

On August 3, 2015, EPA, under the leadership of President Obama, issued the Clean Power Plan, a historic step to fight climate change. The Clean Power Plan will reduce carbon pollution from power plants, the nation's largest source, while maintaining energy reliability and affordability. EPA also issued final Carbon Pollution Standards for new, modified, and reconstructed power plants, and proposed a Federal Plan and model rules to assist states in implementing the Clean Power Plan. For more information on the Clean Power Plan, please visit: <http://www2.epa.gov/carbon-pollution-standards/clean-power-plan-proposed-rule>.

Please Pre-Register for this training by October 28, 2015. Materials from this training will be sent to all registered participants following the training.

Training Details:

Date: November 4, 2015

Time: 8:00am - 5:15pm CST
and

Date: November 5, 2015

Time: 9:00am - 2:30pm CST

Location for both days: The New Community Development, Westside Development Center, Lot 501-A
501 Rev. Raymond Scott Avenue, Port Arthur, Texas 77640

Please note: For participants who would like to join this training remotely (e.g. via Adobe Connect), you will be able to do so if you register. Instructions will be provided, prior to the training, to only those registered participants.

To register and for more information on this training, please contact Jen Cutrona at Jennifer.Cutrona@sra.com or at (703) 284-6054.

Additional information on this rulemaking and past webinars can also be found at the Clean Power Plan Community website at <http://www2.epa.gov/cleanpowerplan/clean-power-plan-community-page>. For more information you can also contact Rhonda Wright, Lead Coordinator, at wright.rhonda@epa.gov or 919-541-1087; Holly Wilson, Co-lead, at wilson.holly@epa.gov or 919-541-5624.

We look forward to your participation and please feel free to **share this invite** with your colleagues and organization's leadership.

To: Leslie Fields[leslie.fields@sierraclub.org]
Cc: **Ex. 6 - Personal Privacy** Brenda Richardson **Ex. 6 - Personal Privacy** Patrice Simms[PSimms@law.howard.edu]; Sacoby Wilson[swilson2@umd.edu]; Patterson, Jacqueline[jpatterson@naacpnet.org]; Kari Fulton **Ex. 6 - Personal Privacy** Nse Witherspoon[nobot@cehn.org]; Lilian Molina **Ex. 6 - Personal Privacy** Falon Shackelford **Ex. 6 - Personal Privacy** Mark Magana **Ex. 6 - Personal Privacy** Shahyd, Khalil[kshahyd@nrdc.org]; Nicole W. Sitaraman **Ex. 6 - Personal Privacy** Brentin Mock[bmock@arc.org]; Shamar Bibbins[shamar@greenforall.org]; Jalonne White-Newsome[jalonne@weact.org]; Deeohn Ferris **Ex. 6 - Personal Privacy** Felicia Eaves **Ex. 6 - Personal Privacy** Jose Aguto[Jose@fcn1.org]; Parisa Norouzi[parisa@empowerdc.org]; Dennis Chestnut[dennis@groundworkdc.org]; Irv Sheffey **Ex. 6 - Personal Privacy** Danielle Deane[ddeane@rabengroup.com]; Andrea Delgado[adelgado@earthjustice.org]; Debra Mayfield[dmayfield@earthjustice.org]; Ali, Mustafa[Ali.Mustafa@epa.gov]; King, Marva[King.Marva@EPA.GOV]; Neal, Daria (CRT)[Daria.Neal@usdoj.gov]; Quentin Pair (External)[Quentin.Pair@usdoj.gov]; Tina Johnson[tina@energyactioncoalition.org]; Mk Dorsey **Ex. 6 - Personal Privacy** Erica Banner man **Ex. 6 - Personal Privacy** Rev Yearwood[rev@hiphopcaucus.org]; vmt_3@msn.com[vmt_3@msn.com]; Stephanie Maddin[smaddin@earthjustice.org]; Janet Redman[janet@ips-dc.org]; Makani Themba-Nixon (Board Member)[mthemba@thepraxisproject.org]; chris@dreamingoutloud.org[chris@dreamingoutloud.org]; jowells@udc.org[jowells@udc.org];
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Ex. 6 - Personal Privacy **Ex. 6 - Personal Privacy**
dwane.jones@udc.edu[dwane.jones@udc.edu]; kbolinder@ecc1.org[kbolinder@ecc1.org];
Ex. 6 - Personal Privacy
From: Emira Woods
Sent: Tue 5/6/2014 3:50:05 AM
Subject: 2014 GOLDMAN PRIZE WINNER FOR AFRICA AT IPS NOON TUESDAY!

Dear Friends,

We are excited that South African environmental justice activist Desmond D'sa- winner of the **2014 Goldman Environmental Prize** -will be at IPS noon Tuesday participating in the Africa Advocacy Network meeting.

Desmond is the Founder and Coordinator of **The South Durban Community Environmental Alliance (SDCEA)**, uniting 16 community organizations addressing environmental and human rights issues in South Africa. For close to two decades, he has worked tirelessly against the abuses of multinational corporations, petro-chemical refineries and other polluting industries.

This will be an amazing opportunity to hear directly from one of our continent's most courageous leaders.

Desmond will be accompanied by Rajasvini Bhansali (Vini) the Executive Director of IDEX, a partner of SDCEA, based in California. IDEX nominated Desmond for the coveted Goldman prize.

Please join us NOON TUESDAY at IPS or via telephone

Institute of Policy Studies

1112 16th St NW, suite #600 Washington Dc 20036

16th & L Streets, Nearest metro Farragut North (red line)

Call-in number: Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

Here are links to articles about Desmond , including one
in the WashPost.

<http://www.washingtonpost.com/blogs/worldviews/wp/2014/04/30/what-a-south-african-activist-sees-as-the-greatest-threat-since-apartheid/>

<http://climaterealityproject.org/climate-reality-leadership-corps/climate-reality-leader-desmond-dsa-wins-goldman-environmental-prize/>

--

Emira Woods

Co-Director

Foreign Policy in Focus, Institute for Policy Studies

1112 16th St NW #600 | Washington, DC 20036

☎: 202.787.5232 | 7: 202.387.7915 | ✉ emira@ips-dc.org

Follow me on twitter: @emirawoods | Skype: emirawoods

www.ips-dc.org

***Institute for Policy Studies - Celebrating 50 Years of Turning Ideas
into Action***

To: Danielle Deane[DDeane@rabengroup.com]
Cc: GreenGDIExt[GreenGDIExt@rabengroup.com]
From: Lisa Garcia
Sent: Fri 8/8/2014 3:49:11 AM
Subject: Re: faith leaders and Green 2.0 op-ed?

Mustafa also has good contacts.

Sent from my iPhone

On Aug 7, 2014, at 8:40 PM, "Danielle Deane"
<DDeane@rabengroup.com<mailto:DDeane@rabengroup.com>> wrote:

Folks, as I read the summary below, occurs to me we haven't yet approached any "green faith" leaders to gauge interest in Green 2.0. Anyone have a strong relationship with IPL or others? I know Sally Bingham in passing, but not well. Would be great to have op-ed (and regular engagement even) from a faith leader.
Danielle

From: clean@lists.usclimatenetwork.org<mailto:clean@lists.usclimatenetwork.org>
[mailto:clean@lists.usclimatenetwork.org] On Behalf Of Bill Bradlee
Sent: Thursday, August 07, 2014 8:19 PM
To: clean@lists.usclimatenetwork.org<mailto:clean@lists.usclimatenetwork.org>
Subject: [CLEAN] Interfaith Power & Light at EPA

Kudos to the great organizing by everyone for the EPA hearings last week!
The faith voice was front and center and many faith organizations put in the hard work to make that happen. Over two dozen faith leaders from DC, Virginia, Maryland, Pennsylvania, and Iowa are testified at the DC hearings. Rev. Dr. Gerald Durley was inspiring people in Atlanta and if you've heard him speak, you know how powerful that is.
We had some excellent media coverage which included op-ed titles that got to the heart of the matter: "Our moral call to a clean energy future in NC" and "Regarding fossil fuels, it's time for a change." We left no doubt that climate change is a moral issue and an issue that people of faith care about.
Here's a rundown of some of the Interfaith Power & Light highlights and media clips from last week.

OP-EDS

Lincoln Star Journal in Nebraska by Rev. Kim Morrow, Director Nebraska IPL
http://journalstar.com/news/opinion/editorial/columnists/local-view-epa-regulations-are-step-in-right-direction/article_090f6434-05cc-5cba-a7ca-192a2bad8783.html

News and Observer in North Carolina by Rev. Steve Halsted
<http://www.newsobserver.com/2014/08/01/4045068/our-moral-call-to-a-clean-energy.html>

The Tribune Democrat in Johnstown, PA by Rev. William Thwing, former board member PA IPL
<http://www.tribune-democrat.com/editorials/x864255639/William-Thwing-Regarding-fossil-fuels-its-time-for-a-change>

NEWS CLIPS

Colorado Independent - quote from Rev. Nelson Bock, board member CO IPL
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<http://ncronline.org/blogs/eco-catholic/faith-leaders-testify-support-epas-clean-power-plan>

New York Times — quote from Rev. Richard Cizik, steering committee of VA iPL
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Think Progress - quotes from Rev. Dele, steering committee of VA IPL and Joelle Novey, Director of IPL-DMV and Rev.
<http://thinkprogress.org/climate/2014/07/31/3466008/epa-coal-rules-religious-leaders-support/>

Pittsburgh NPR - quote from PA IPL Director, Cricket Hunter
<http://wesa.fm/post/epa-carbon-rules-be-well-vetted-pittsburgh>

[<http://img529.imageshack.us/img529/4600/logoicon.jpg>]<<http://www.interfaithpowerandlight.org/>>

Bill Bradlee
Affiliate Services Director
The Regeneration Project
Interfaith Power & Light

369 Pine St. Suite 700
San Francisco, CA 94104
Phone: (415) 561-4891
Mobile: (415) 506-8063

InterfaithPowerandLight.org<<http://interfaithpowerandlight.org/>>
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<http://lists.usclimatenetwork.org/lists/info/clean>

To subscribe to this or other USCAN lists, email
operations@climatenetwork.org<<mailto:operations@climatenetwork.org>>

This is the largest and broadest USCAN list, which includes Green Group members and other allies. This list is to be used for discussion of broad questions of policy and political strategy, requests for information

or assistance, and the sharing of key policy developments, briefings and events, and other relevant information.

The information sent over this list serve is confidential and intended only for list subscribers. Please do not forward to other parties without the sender's consent, unless the content clearly already exists in the public domain.

To: Lisa Garcia[lgarcia@earthjustice.org]; Evans, Carlos[Evans.Carlos@epa.gov]; Tejada, Matthew[Tejada.Matthew@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Riddick, Dorris[Riddick.Dorris@epa.gov]; Batts, Julia[Batts.Julia@epa.gov]
From: Lee, Charles
Sent: Thur 4/24/2014 12:24:00 PM
Subject: RE: Hey EPA EJ Team!

Hi Lisa

Great to hear from you. Glad you had a great trip to Southeast Asia. Regarding lunch, I told Julia that since she missed your going away lunch, we will do one for her in Chinatown and order all the same things we did the last time. Maybe sometime in May to celebrate AAPI Heritage Month.

All is well at EPA. Bicky Corman is leaving to an undisclosed destination. Will know at some point.

Regards,

Charles

From: Lisa Garcia [mailto:lgarcia@earthjustice.org]
Sent: Wednesday, April 23, 2014 6:24 PM
To: Lee, Charles; Evans, Carlos; Tejada, Matthew; Ali, Mustafa; Riddick, Dorris; Batts, Julia
Subject: Hey EPA EJ Team!

Hi there!

Wanted to say hi and send my new contact info at Earthjustice. I am in the middle of my first week – out here in San Francisco!

My trip to southeast asia was great- and the first days here fun and overwhelming!

We'll have to plan a lunch so we can all get together.

Hope all is well- and that EPA is thriving !

Miss you all and hope to see you all soon!

Tell OEJ I send my love!

Stay in touch,

Lisa

Lisa F. Garcia

Vice President Of Litigation, Healthy Communities

1625 Massachusetts Ave. Nw Ste. 702

Washington, DC 20036-2243

T: (202) 797-5244

F: (202) 667-2356

Facebook/Earthjustice

Twitter@Earthjustice



Because the earth needs a good lawyer

To: Ali, Mustafa[Ali.Mustafa@epa.gov]; Tejada, Matthew[Tejada.Matthew@epa.gov]
From: Lisa Garcia
Sent: Tue 5/27/2014 8:17:00 PM
Subject: Contact

For Stephanie Tyree- want to contact her but I don't have her info anymore !
Thanks

Sent from my iPhone

To: Leslie Fields[leslie.fields@sierraclub.org]
Cc: GreenGDIExt[GreenGDIExt@rabengroup.com]
From: Danielle Deane
Sent: Fri 8/8/2014 2:33:54 AM
Subject: RE: faith leaders and Green 2.0 op-ed?
PressReleaseQuotesSheet_Green2.0_FINAL.pdf
TRG-001-Green_HL_0727b-FINAL.pdf
TRG-001-GoodIntentions_ExecSum_0727- FINAL.pdf

Thanks Leslie. Here is some updated summary language for you and/or Jalonne to use (edit at will) in following up with Jose to gauge interest in doing an op-ed, and/or longer term collaboration. Could you and Jalonne perhaps report back to us on his interest? Let me know if we can provide anything else. (Hope this summary language is helpful to others as well who are reaching out to different folks on Green 2.0 for other reasons. As discussed on the last call, we'll soon be sending you an NGO (or two) to follow up with to seek statements.) Thank again.

+++

I am following up on the "**Diversity in Mainstream Environmental Organizations**" report that was commissioned and released last week by Green 2.0. This "green ceiling" report is the most comprehensive report on diversity in the mainstream environmental movement, and kicked off Green 2.0's initiative to accelerate progress on diversity in the mainstream environmental movement. Here is an update:

PRESS: Green 2.0's "green ceiling" report generated wide media coverage, in major outlets like the LA Times and the Guardian, and in influential industry outlets like the Chronicle of Philanthropy, the Non-Profit Quarterly and Grist. See: <http://diversegreen.org/newscenter/>

The report is online at: <http://diversegreen.org/report/> and the press release, fact sheet and executive summary are attached for your perusal. The report surveyed 300 institutions (NGOs, foundations and government agencies) and includes confidential, candid interviews of 21 environmental leaders from diverse backgrounds and experience.

WEBINAR: In addition to media attention, the webinar Green 2.0 hosted three days after the launch demonstrated the extremely high interest in this topic and in how the news was being shared. There were over 300 people on the webinar and we hope to host another in response to demand.

SUPPORT FOR REPORT AND GREEN 2.0's RECOMMENDATIONS: As you'll see here (<http://diversegreen.org/talk/>) leaders in the field are weighing in on this seminal report, including:

- The President of the Rockefeller Brothers Fund, Stephen Heintz
- Major environmental NGO CEOs like Michael Brune of the Sierra Club
- Commentators like best-selling author and CNN “Crossfire” host Van Jones.

Might we gauge your interest in support of the report and recommendations for making progress on this issue, for instance by authoring an op-ed, and/or potentially collaborating on one of the forums that we hope to host in the fall?

Best,
[Your Name]

+++

From: Leslie Fields [mailto:leslie.fields@sierraclub.org]
Sent: Thursday, August 07, 2014 9:54 PM
To: Danielle Deane
Cc: GreenGDIExt
Subject: Re: faith leaders and Green 2.0 op-ed?

Jalonne, Jacqui Patterson and I were on the Moral Voices on Climate call on July 24 & mentioned the report. We should follow up w/ Jose Aguto @ FCNL who convened the call on: jose@fcnl.org Thanks Leslie

On Aug 7, 2014 8:40 PM, "Danielle Deane" <DDeane@rabengroup.com> wrote:

Folks, as I read the summary below, occurs to me we haven't yet approached any “green faith” leaders to gauge interest in Green 2.0. Anyone have a strong relationship with IPL or others? I know Sally Bingham in passing, but not well. Would be great to have op-ed (and regular engagement even) from a faith leader.

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<http://www.newsobserver.com/2014/08/01/4045068/our-moral-call-to-a-clean-energy.html>

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<http://www.coloradoindependent.com/148436/clean-power-plan-draws-all-kinds-to-testify-before-epa>

National Catholic Reporter - quote from Joelle Novey, Director of IPL-DMV and Rev. Richard Cizik, steering committee of VA IPL

<http://ncronline.org/blogs/eco-catholic/faith-leaders-testify-support-epas-clean-power-plan>

New York Times — quote from Rev. Richard Cizik, steering committee of VA IPL

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<http://thinkprogress.org/climate/2014/07/31/3466008/epa-coal-rules-religious-leaders-support/>

Pittsburgh NPR - quote from PA IPL Director, Cricket Hunter

<http://wesa.fm/post/epa-carbon-rules-be-well-vetted-pittsburgh>

Bill Bradlee
Affiliate Services Director
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InterfaithPowerandLight.org

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InterfaithPowerandLight.org

To: Leslie Fields[leslie.fields@sierraclub.org]
Cc: Khalil Shahyd [Ex. 6 - Personal Privacy] Irv Sheffey [Ex. 6 - Personal Privacy] EPOC-DC[epoc-dc@googlegroups.com]
From: epoc-dc@googlegroups.com
Sent: Wed 6/4/2014 1:09:53 PM
Subject: Re: [epoc-dc] Where's the Black Political Conversation on Climate Change?

Dear Khalil and others:

I would be happy to have a conversation about this area. (And Leslie, thank you for plugging me in!)

Khalil, WE ACT for Environmental Justice has been providing comment and engaging in federal air and climate very intently over the past two years. The EJ Forum on Climate Change, (www.ejleadershipforum.org) a national group of EJ leaders, will be heavily engaged in the Clean Power Rule. yes, there are several groups - under the auspices of the Climate Action Campaign - that are doing some outreach to major African-American conferences this summer - which is great. But, in the long run, we need more than comments, but a consistent voice across the various states from our AA leaders. Last week when several AA leaders met with the White House, there is definitely a need for us to get more engaged!)

So, with that, I would LOVE to broaden our conversation and build a strong team behind this proposed rule....You are correct..I personally feel that African Americans are not given enough 'stake' in this conversation.....So, let's talk.

BTW....I'll try to remember to forward my recent blog post on this topic that will be featured this afternoon in emPower Magazine. and I will also be speaking at the AAAS conference on tomorrow about a similar topic and would love to connect with anyone who is in the room!

Peace and blessings to all!

Jalonne

On Wed, Jun 4, 2014 at 7:07 AM, Leslie Fields <leslie.fields@sierraclub.org> wrote:

PS. Also EJ Forum for Climate Justice/WE ACT (Dr. Jalonne White-Newsome) are very involved

On Tuesday, June 3, 2014, Khalil Shahyd [Ex. 6 - Personal Privacy] wrote:

I agree we should do some survey of prominent members of the CBC and get some feedback. I am also interested in the role of African-American and Latino mayors in moving this agenda in large cities. NRDC has a Latino(a) outreach group (why no AfricanAm group exist is a good question), and I have been discussing this idea to reach out to mayors with them as well.

Khalil

On Tue, Jun 3, 2014 at 3:03 PM, Irv Sheffey { Ex. 6 - Personal Privacy } wrote:

Perhaps we should reach out to our own Congresswoman Holmes-Norton as a start, and see if her office has a position on the issue in general or at least a comment on the new EPA guidelines I know we have one informed and sympathetic Black Caucus member in the presence of Rep Keith Ellison (D-MN).

He came to Congress with an environmental POV, having found Environmental Justice Advocates for Minnesota

Irv

Irv Sheffey

3101 Pennsylvania Avenue, SE No. 314

Washington, DC 20020

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy

"be the change you want to see" - Mahatma Gandhi

On Tue, Jun 3, 2014 at 1:58 PM, Khalil Shahyd { Ex. 6 - Personal Privacy } wrote:

I'm sending out this article, but I would not want us to limit ourselves to passing around an article. We should meet, discuss and act on some strategy to enhance the profile and the engagement of Black communities and communities of color more broadly in the comment period and other coming stages of the Carbon Pollution Standards process.

If any are interested I would be glad to help coordinate such a conversation.

http://www.theroot.com/articles/politics/2014/06/obama_can_t_be_the_only_black_person_concerned

BY: [CHARLES D. ELLISON](#)

...

Leslie G. Fields
Director, Environmental Justice & Community Partnerships Program
Sierra Club
50 F Street NW, Eighth Floor
Washington, DC 20001
202-548-4586
Leslie.Fields@sierraclub.org
www.sierraclub.org/ejcp

--

You received this message because you are subscribed to the Google Groups "Environmental Professionals of Color - DC" group.
To unsubscribe from this group and stop receiving emails from it, send an email to epoc-dc+unsubscribe@googlegroups.com.
To post to this group, send email to epoc-dc@googlegroups.com.
For more options, visit <https://groups.google.com/d/optout>.

--

Dr. Jalonnie L. White-Newsome
Environmental Justice Federal Policy Analyst
WE ACT for Environmental Justice
50 F Street, NW, Eighth Floor
Washington, DC 20001
Telephone: (202) - 495 - 3036
Cell Phone: Ex. 6 - Personal Privacy
Fax: (202) - 547 - 6009

Website: www.weact.org

Facebook: www.weact.org/facebook

Twitter: www.weact.org/twitter

Text **WEACT to 22828** to join our mailing list

--

You received this message because you are subscribed to the Google Groups "Environmental Professionals of Color - DC" group.
To unsubscribe from this group and stop receiving emails from it, send an email to epoc-dc+unsubscribe@googlegroups.com.
To post to this group, send email to epoc-dc@googlegroups.com.
For more options, visit <https://groups.google.com/d/optout>.

To: greenleaders@rabengroup.com[greenleaders@rabengroup.com]
From: Stephanie Maddin
Sent: Mon 6/23/2014 3:12:28 PM
Subject: FW: Job Opening (entry level) Earthjustice Legislative Assistant (DC)

Legislative Assistant, Earthjustice, DC Office

Earthjustice, the nation's largest non-profit, environmental law firm seeks a legislative assistant to work with a dedicated team of lobbyists on a variety of environmental issues including clean air, clean water, climate change, endangered species and public lands. Major responsibilities include administrative tasks, editing, research and occasional advocacy. Successful applicant must be highly organized and possess excellent writing, oral communication and computer skills. Salary is in the low-40s. Generous vacation and benefits package. Interested candidates should submit a resume a cover letter, and writing sample to jobs@earthjustice.org<<mailto:jobs@earthjustice.org>>. Please include the "Legislative Assistant" in the subject line

Earthjustice is an equal opportunity, affirmative action employer.
Deadline: Position is opened until filled.
No phone inquiries please.

More information about the position available at: <http://earthjustice.org/about/jobs/31558/legislative-assistant>

To unsubscribe from the 50STATESUNITED list, click the following link:
<http://list.earthjustice.org/scripts/wa-EARTH.exe?SUBED1=50STATESUNITED&A=1>

To: Danielle Deane[DDeane@rabengroup.com]; GreenLeaders[GreenLeaders@rabengroup.com]
From: Stephanie Maddin
Sent: Fri 5/2/2014 3:52:31 PM
Subject: RE: crediting you in report - in individual capacity, org for ID only - anyone need to ne anonymous?
[image001.png](#)
[image002.png](#)

I'm comfortable with that approach.

Sent from my Samsung Galaxy S@4

----- Original message -----

From: Danielle Deane
Date: 05/02/2014 10:48 AM (GMT-05:00)
To: GreenLeaders
Subject: crediting you in report - in individual capacity, org for ID only - anyone need to ne anonymous?

Folks,
Dorceta's report will thank the Green 2.0 "Advisory Committee". We think listing names, with organizations noted "for identification purposes only", is the appropriate way to go. But, do any of you want something different? Or anyone prefer to remain completely anonymous?
Best,
Danielle

DANIELLE DEANE | PRINCIPAL | THE RABEN GROUP
1640 RHODE ISLAND AVENUE NW SUITE 600 | WASHINGTON DC 20036
202 466 2543 DIRECT | 202 466 8585 MAIN | 650 387 9984 CELL
DDEANE@RABENGROUP.COM<mailto:DDEANE@RABENGROUP.COM> |
WWW.RABENGROUP.COM<http://www.rabengroup.com/>
[cid:image001.png@01CF65F2.621D92B0]<https://twitter.com/TheRabenGroup>
[cid:image002.png@01CF65F2.621D92B0] <http://www.facebook.com/rabengroup>

To: GreenGDExt@rabengroup.com[GreenGDExt@rabengroup.com]
From: Leslie Fields
Sent: Wed 6/4/2014 12:04:29 AM
Subject: out of office Re: Green Leadership 2.0 in-person call 6-4-14

Hello

I am out of the office until June 9. Thanks, Leslie

--

Leslie G. Fields
Director, Environmental Justice & Community Partnerships Program
Sierra Club
50 F Street NW, Eighth Floor
Washington, DC 20001
202-548-4586
Leslie.Fields@sierraclub.org
www.sierraclub.org/ejcp

To: Leslie Fields[leslie.fields@sierraclub.org]
Cc: GreenGDIExt[GreenGDIExt@rabengroup.com]
From: Danielle Deane
Sent: Fri 7/11/2014 5:03:48 PM
Subject: RE: need help: government agency "Leadership at Work" suggestions

ASAP. We'll add more to web as time goes on in coming weeks, so when you have time, send along. But need to be decent number in each category for the launch.

Thanks tons.

From: Leslie Fields [mailto:leslie.fields@sierraclub.org]
Sent: Friday, July 11, 2014 11:39 AM
To: Danielle Deane
Cc: GreenGDIExt
Subject: Re: need help: government agency "Leadership at Work" suggestions

When do you need this by?

On Fri, Jul 11, 2014 at 11:31 AM, Danielle Deane <DDeane@rabengroup.com> wrote:

Folks, we need a few more suggestions for senior level folks in

- the government arena
- the academic
- biz end as well.
-

Want to demonstrate breadth – we are very strong on the NGO Exec-Director side so that's fine.

GOV

Carla Peterman at CA Energy Commission

Gwen (chief of staff) at EPA

Others?

Academics:

Manuel Pastor

Rachel Morello Frosh

Dorceta obviously

Others?

Business/Sustainability

Faith at Wyndam

PGE – Deidre

Carolyn Green

Others?

From: Danielle Deane

Sent: Thursday, July 10, 2014 3:35 PM

To: Danielle Deane

Subject: current list of "Leadership at Work" orgs to be featured on Green 2.0 web page

Folks, below is the list of folks/orgs we have so far for our "leadership at work" web page so far. Please when you send include a web page link to help with sharing the workload. Please keep em coming. Remember all sectors.

Jose

Gonzalez

G.

Latino Outdoors

Founder,
Director

latinooutdoors.org
www.greenchicano.com

Juan	Martinez	D.	Children & Nature Network	Director of Leadership Development and the Natural Leaders Network	www.childrenandnature.org
Roger	Rivera		National Hispanic Environmental Council		
Irma	Munoz	R.	Mujeres de la Tierra	President/CEO	
Refugio	Mata		Presente.org	Campaign Manager	Presente.org
Kim	Wasserman		Little Village Environmental Justice Organization (LVEJO)	Coordinator	www.lvejo.org
Luis	Perales	A.	Tierra Y Libertad Organization (TYLO)	Community Organizer	
Logan	Angelo		East Yard Communities for Environmental Justice	Co-Director	
Elizabeth	Yeampierre		UPROSE	Director	www.uprose.org

Audrey Peterman, President, Earthwise Productions

Alan Hipolito, Executive Director, Verde

Juman Vasi, Program Officer, Mott Foundation

Iantha Gantt-Wright, President, Kenian Group

Rashad Morris, Program Officer, Bullitt Foundation

Michell Gee, National Park Service (in Bay Area)

Robert Stanton, retired NPS Director

Chandra Taylor, VP, National Audubon Society

Charles Orgbon, Greening Forward

Kristi Davis, SCA

Marisa Quiroz, Program Officer, San Diego Foundation

Greg Wolley, founder, African American Outdoor Association

Rue Mapp, founder, Outdoor Afro..

Jaqui Patterson, NAACP

--

Leslie G. Fields

Director, Environmental Justice & Community Partnerships Program

Sierra Club

50 F Street NW, Eighth Floor

Washington, DC 20001

202-548-4586

Leslie.Fields@sierraclub.org

www.sierraclub.org/ejcp

To: 'Leslie Fields'[leslie.fields@sierraclub.org]; 'Danielle Deane'[DDeane@rabengroup.com]
Cc: 'GreenGDIExt'[GreenGDIExt@rabengroup.com]
From: Felicia Davis
Sent: Fri 7/11/2014 3:52:19 PM
Subject: RE: need help: government agency "Leadership at Work" suggestions

Richard D. Schulterbrandt Gragg, Ph.D.

Associate Professor of Environmental Science and Policy
Chair, FAMU Environment and Sustainability Council
Founding Director, Center for Environmental Equity and Justice (1998 - 2011)
Florida A&M University, School of the Environment
Tallahassee, Florida 32307

(850) 599-8549 (Office)

Ex. 6 - Personal Privacy

From: Leslie Fields [mailto:leslie.fields@sierraclub.org]
Sent: Friday, July 11, 2014 11:39 AM
To: Danielle Deane
Cc: GreenGDIExt
Subject: Re: need help: government agency "Leadership at Work" suggestions

When do you need this by?

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- the academic
- biz end as well.
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Carla Peterman at CA Energy Commission

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Others?

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Rachel Morello Frosh

Dorceta obviously

Others?

Business/Sustainability

Faith at Wyndam

PGE – Deidre

Carolyn Green

Others?

From: Danielle Deane

Sent: Thursday, July 10, 2014 3:35 PM

To: Danielle Deane

Subject: current list of "Leadership at Work" orgs to be featured on Green 2.0 web page

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Jose	Gonzalez	G.	Latino Outdoors	Founder, Director	latinooutdoors.org www.greenchicano.com
Juan	Martinez	D.	Children & Nature Network	Director of Leadership Development and the Natural Leaders Network	www.childrenandnature.org
Roger	Rivera		National Hispanic Environmental Council		
Irma	Munoz	R.	Mujeres de la Tierra	President/CEO	
Refugio	Mata		Presente.org	Campaign Manager	Presente.org
Kim	Wasserman		Little Village Environmental Justice Organization (LVEJO)	Coordinator	www.lvejo.org
Luis	Perales	A.	Tierra Y Libertad Organization (TYLO)	Community Organizer	
Logan	Angelo		East Yard Communities for Environmental Justice	Co-Director	
Elizabeth	Yeampierre		UPROSE	Director	www.uprose.org

Audrey Peterman, President, Earthwise Productions

Alan Hipolito, Executive Director, Verde

Juman Vasi, Program Officer, Mott Foundation

Iantha Gantt-Wright, President, Kenian Group

Rashad Morris, Program Officer, Bullitt Foundation

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Charles Orgbon, Greening Forward

Kristi Davis, SCA

Marisa Quiroz, Program Officer, San Diego Foundation

Greg Wolley, founder, African American Outdoor Association

Rue Mapp, founder, Outdoor Afro..

Jaqui Patterson, NAACP

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Leslie G. Fields

Director, Environmental Justice & Community Partnerships Program

Sierra Club

50 F Street NW, Eighth Floor

Washington, DC 20001

202-548-4586

Leslie.Fields@sierraclub.org

www.sierraclub.org/ejcp

To: Danielle Deane[DDeane@rabengroup.com]
Cc: GreenGDIExt[GreenGDIExt@rabengroup.com]
From: Leslie Fields
Sent: Fri 7/11/2014 3:38:52 PM
Subject: Re: need help: government agency "Leadership at Work" suggestions

When do you need this by?

On Fri, Jul 11, 2014 at 11:31 AM, Danielle Deane <DDeane@rabengroup.com> wrote:

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- the government arena
- the academic
- biz end as well.
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Others?

Business/Sustainability

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PGE – Deidre

Carolyn Green

Others?

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Leslie.Fields@sierraclub.org
www.sierraclub.org/ejcp

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Leslie Fields
Sent: Fri 9/5/2014 8:27:16 PM
Subject: Re: query: do you know what the status is of the SSM (Startup Shutdown Malfunction) Rule is?

Thanks!

On Fri, Sep 5, 2014 at 4:20 PM, Ali, Mustafa <Ali.Mustafa@epa.gov> wrote:

I'm not sure but I will try to find out.

Mustafa Ali

Senior Advisor to the Administrator for Environmental Justice [Acting]

Sent from my iPhone

On Sep 5, 2014, at 4:19 PM, "Leslie Fields" <leslie.fields@sierraclub.org> wrote:

Hi Mustafa

Do you know the status of the rule? thanks, Leslie

--

Leslie G. Fields
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Leslie.Fields@sierraclub.org
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--

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202-548-4586
Leslie.Fields@sierraclub.org
www.sierraclub.org/ejcp

To: Russell Greene[Ex. 6 - Personal Privacy] Paul Alexander[Ex. 6 - Personal Privacy] Rev Sadler[rsadler@upsem.edu]; Rev Lennox Yearwood[rev@hiphopcaucus.org]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Glencie Rhedrick[Ex. 6 - Personal Privacy] Ben -Zion Ptashnik[Ex. 6 - Personal Privacy] Victoria Collier[Ex. 6 - Personal Privacy] Princess[Ex. 6 - Personal Privacy] keane@democracycollaborative.org[keane@democracycollaborative.org]; [Ex. 6 - Personal Privacy] Barbara Arnwine[barnwine@barbaraarnwine.com]; Jay Nightwolf[Ex. 6 - Personal Privacy] Jeffery Wolfe[Ex. 6 - Personal Privacy] Rev Sheldon Shipman[Ex. 6 - Personal Privacy] Britten Cleveland[britten.cleveland@sierraclub.org]; Michael Zytkow[michael.zytkow@greenpeace.org]; tc@hiphopcaucus.org[tc@hiphopcaucus.org]; Nikisha Glover[Ex. 6 - Personal Privacy] hfulbright@gcgloballearning.com[hfulbright@gcgloballearning.com]
From: joel.r.segal@gmail.com
Sent: Thur 12/10/2015 12:59:18 AM
Subject: Fwd: Actor Mark Ruffalo op-ed on Clean Energy/Green Jobs Resolution H.Res.540 (Grijalva) in the Nation Magazine!!

Subject: Re: Mark Ruffalo op-ed on H.Res.540 (Grijalva)

<http://www.thenation.com/article/congress-has-a-plan-to-achieve-100-percent-clean-and-renewable-energy-by-2050/>

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Stephanie Maddin
Sent: Wed 4/16/2014 1:33:07 PM
Subject: RE: [CEEJH] NEWS: Court Upholds Air Safeguard that would Prevent Thousands of Deaths

Thanks! All is well. Working

Ex. 6 - Personal Privacy

Stephanie Maddin
Legislative Counsel
Earthjustice
1625 Massachusetts Ave., NW
Suite 702
Washington, DC 20036
T: 202-745-5210 **Please note new number**
F: 202-667-2356
www.earthjustice.org

Because the earth needs a good lawyer

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From: Ali, Mustafa [Ali.Mustafa@epa.gov]
Sent: Wednesday, April 16, 2014 5:08 AM
To: Stephanie Maddin
Subject: Re: [CEEJH] NEWS: Court Upholds Air Safeguard that would Prevent Thousands of Deaths

Stephanie,

Thanks for sharing. I hope you are staying blessed.

Mustafa

From: Community Engagement, Environmental Justice, and Health <CEEJH@LISTSERV.UMD.EDU> on behalf of Stephanie Maddin <smaddin@EARTHJUSTICE.ORG>
Sent: Tuesday, April 15, 2014 1:16:46 PM
To: CEEJH@LISTSERV.UMD.EDU
Subject: [CEEJH] NEWS: Court Upholds Air Safeguard that would Prevent Thousands of Deaths

Sorry for crosspostings*

Thanks to each of you that fought for the first-ever standards to clean up toxic emissions from power plants. With this victory, much needed relief will be realized in communities across our nation!

NEWS RELEASE

April 15, 2014

Contact:
Maggie Caldwell, Earthjustice, (415) 217-2084
Michelle Nealy, NAACP, (202) 292-3384
John Surrick, Chesapeake Bay Foundation, (443) 482-2045
Ryan Knapick, Clean Air Council, (215) 567-4004, ext. 125
Anna Oman, Sierra Club, (202) 650-6061

Court Upholds Air Safeguard that would Prevent Thousands of Deaths

NAACP joined other clean air advocates in defense of this important protection

Washington, D.C. — Today the U.S. Court of Appeals for the D.C. Circuit upheld<http://earthjustice.org/our_work/cases/2005/air-toxics-mercury-power-plants> the U.S. Environmental Protection Agency's 2012 Mercury and Air Toxics Rule (MATS). Earthjustice represented the NAACP, the Sierra Club, Clean Air Council, and the Chesapeake Bay Foundation in the case.

MATS will annually prevent up to 11,000 premature deaths, nearly 5,000 heart attacks and 130,000 asthma attacks, and more than 540,000 missed days of work days. It will also protect babies and children from exposures to mercury that can damage their ability to develop and learn. The EPA has estimated that every year, more than 300,000 newborns face elevated risk of learning disabilities due to exposure to mercury in the womb.

Coal-fired power plants are the largest source of toxic air pollutants, and account for almost half of the nation's mercury emissions. The Clean Air Act directed the EPA to set limits requiring the maximum achievable reductions in mercury, arsenic, lead, and the many other hazardous air pollutants that power plants emit no later than 2002. In 2012 after a decade of delay, the agency finalized the Mercury and Air Toxics rule. A group of industry and corporate polluters immediately filed a lawsuit challenging this rule.

The following are statements from groups who defended the Mercury and Air Toxics Rule:

Said Jacqueline Patterson, Director, Environmental and Climate Justice Program for NAACP:
"The NAACP applauds the D.C. Circuit Court for this important and historic decision. Civil rights are about equal access to protections afforded by law. Given the disproportionate impact of coal combustion pollution which negatively affects the health and educational outcomes as well as the economic wellbeing of communities of color, the Mercury and Air Toxics Rule is a critical tool for exacting justice. These standards provide essential safeguards for communities who have suffered from decades of toxic exposure."

Said Chesapeake Bay Foundation Vice President for Litigation Jon Mueller:
"Mercury from power plants is a leading source of the pollution that has led to fish consumption advisories in rivers and streams around the country as well as here in the Chesapeake Bay region. Those contaminated fish put the health of many, including those who fish to feed their families, at risk," said Jon Mueller, Chesapeake Bay Foundation Vice President for Litigation. "These new limits will reduce pollution and the associated human health risks, and is a legacy that we should leave to our children and future generations."

Said Joseph Otis Minott, Executive Director, Clean Air Council:
"The court's decision to affirm these long, overdue standards clearly demonstrates the importance of controlling toxic emissions while also rejecting the complaints of inconvenience raised by industry and corporate polluters. We applaud the court's judgment and look forward to ensuring this critical rule is properly implemented."

Said Mary Anne Hitt, Campaign Director for Sierra Club's Beyond Coal campaign:
"Coal- and oil-fired power plants are the largest source of mercury pollution that poisons our lakes and streams, as well as arsenic and other toxic metals and gases. By upholding the rule, the court has helped our country take a great step forward toward protecting our children from these dangerous pollutants."

Said Earthjustice attorney Jim Pew:
"The emission limits upheld in court today have already won broad public support, and for good reason. Power plants' toxic pollution takes a horrible toll on peoples' lives and health, especially in low income communities and communities of color. By allowing this rule to take effect, today's decision will help reduce that toll."

ONLINE VERSION: <http://earthjustice.org/news/press/2014/court-upholds-air-safeguard-that-would->

prevent-thousands-of-deaths

###

Earthjustice, the nation's premier nonprofit environmental law organization, wields the power of law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy, and to combat climate change.

Because the earth needs a good lawyer.

Maggie Caldwell
Press Secretary
50 California Street, Suite 500
San Francisco, CA 94111
Direct: 415.217.2084
Cell: Ex. 6 - Personal Privacy
Fax: 415.217.2040
earthjustice.org<<http://www.earthjustice.org/>>

facebook.com/earthjustice<<http://www.facebook.com/earthjustice>>
twitter.com/earthjustice<<http://www.twitter.com/earthjustice>>

[cid:image001.gif@01CF5884.EFA29250]

Because the earth needs a good lawyer

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Leslie Fields
Sent: Fri 9/5/2014 8:19:04 PM
Subject: query: do you know what the status is of the SSM (Startup Shutdown Malfunction) Rule is?

Hi Mustafa

Do you know the status of the rule? thanks, Leslie

--

Leslie G. Fields
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To: Danielle Deane[DDeane@rabengroup.com]
Cc: GreenGDIExt[GreenGDIExt@rabengroup.com]
From: Leslie Fields
Sent: Fri 8/8/2014 1:54:07 AM
Subject: Re: faith leaders and Green 2.0 op-ed?

Jalonne, Jacqui Patterson and I were on the Moral Voices on Climate call on July 24 & mentioned the report. We should follow up w/ Jose Aguto @ FCNL who convened the call on: jose@fcn1.org Thanks Leslie

On Aug 7, 2014 8:40 PM, "Danielle Deane" <DDeane@rabengroup.com> wrote:

Folks, as I read the summary below, occurs to me we haven't yet approached any "green faith" leaders to gauge interest in Green 2.0. Anyone have a strong relationship with IPL or others? I know Sally Bingham in passing, but not well. Would be great to have op-ed (and regular engagement even) from a faith leader.

Danielle

From: clean@lists.usclimatenetwork.org [mailto:clean@lists.usclimatenetwork.org] **On Behalf Of** Bill Bradlee
Sent: Thursday, August 07, 2014 8:19 PM
To: clean@lists.usclimatenetwork.org
Subject: [CLEAN] Interfaith Power & Light at EPA

Kudos to the great organizing by everyone for the EPA hearings last week!

The faith voice was front and center and many faith organizations put in the hard work to make that happen. Over two dozen faith leaders from DC, Virginia, Maryland, Pennsylvania, and Iowa are testified at the DC hearings. Rev. Dr. Gerald Durley was inspiring people in Atlanta and if you've heard him speak, you know how powerful that is.

We had some excellent media coverage which included op-ed titles that got to the heart of the matter: "Our moral call to a clean energy future in NC" and "Regarding fossil fuels, it's time for a change." We left no doubt that climate change is a moral issue and an issue that people of faith care about.

Here's a rundown of some of the Interfaith Power & Light highlights and media clips from last week.

OP-EDS

Lincoln Star Journal in Nebraska by Rev. Kim Morrow, Director Nebraska IPL

http://journalstar.com/news/opinion/editorial/columnists/local-view-epa-regulations-are-step-in-right-direction/article_090f6434-05cc-5cba-a7ca-192a2bad8783.html

News and Observer in North Carolina by Rev. Steve Halsted

<http://www.newsobserver.com/2014/08/01/4045068/our-moral-call-to-a-clean-energy.html>

The Tribune Democrat in Johnstown, PA by Rev. William Thwing, former board member PA IPL

<http://www.tribune-democrat.com/editorials/x864255639/William-Thwing-Regarding-fossil-fuels-its-time-for-a-change>

NEWS CLIPS

Colorado Independent - quote from Rev. Nelson Bock, board member CO IPL

<http://www.coloradoindependent.com/148436/clean-power-plan-draws-all-kinds-to-testify-before-epa>

National Catholic Reporter - quote from Joelle Novey, Director of IPL-DMV and Rev. Richard Cizik, steering committee of VA IPL

<http://ncronline.org/blogs/eco-catholic/faith-leaders-testify-support-epas-clean-power-plan>

New York Times — quote from Rev. Richard Cizik, steering committee of VA IPL

http://www.nytimes.com/2014/07/31/us/religious-conservatives-embrace-proposed-epa-rules.html?_r=2

Think Progress - quotes from Rev. Dele, steering committee of VA IPL and Joelle Novey, Director of IPL-DMV and Rev.

<http://thinkprogress.org/climate/2014/07/31/3466008/epa-coal-rules-religious-leaders-support/>

Pittsburgh NPR - quote from PA IPL Director, Cricket Hunter

<http://wesa.fm/post/epa-carbon-rules-be-well-vetted-pittsburgh>

Bill Bradlee
Affiliate Services Director
The Regeneration Project
Interfaith Power & Light

369 Pine St. Suite 700
San Francisco, CA 94104
Phone: (415) 561-4891
Mobile: (415) 506-8063

InterfaithPowerandLight.org

Bill Bradlee
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The Regeneration Project
Interfaith Power & Light

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San Francisco, CA 94104
Phone: (415) 561-4891
Mobile: (415) 506-8063

InterfaithPowerandLight.org

To: Ali, Mustafa[Ali.Mustafa@epa.gov]; Tejada, Matthew[Tejada.Matthew@epa.gov]; Evans, Carlos[Evans.Carlos@epa.gov]
From: Lisa Garcia
Sent: Wed 4/23/2014 10:59:40 PM
Subject: FW: Two New Openings!
Press Secretary Bilingual (2014).docx
Office Assistant Washington DC (2014).docx

From: Maria Ryan
Sent: Wednesday, April 23, 2014 3:05 PM
To: Earthjustice
Subject: Two New Openings!

Hello Again,

We've just posted two new openings:

- **Press Secretary (Bilingual English/Spanish):**
<http://earthjustice.org/about/jobs/31253/press-secretary-bilingual-englishspanish>
- **Office Assistant:** <http://earthjustice.org/about/jobs/31254/office-assistant>

Friendly Reminder:

Our success depends on the people that work here, so we are calling on each of you to help us spread the word about career opportunities at Earthjustice. **Please share the attached posting/link** with your professional associations and social networks on LinkedIn, Facebook, and Twitter. With your help, we can increase the diversity of our candidate pool and hire smart, highly qualified people.

Feel free to contact me with any questions you may have and thank you so much for your help!

Best,

Maria



Office Assistant Washington, DC

Earthjustice is the premier nonprofit environmental law organization. We take on the biggest, most precedent-setting cases across the country. We wield the power of law and the strength of partnership to protect people's health; to preserve magnificent places and wildlife; to advance clean energy; and to combat climate change. We partner with thousands of groups, supporters and citizens to engage the critical environmental issues of our time, and bring about positive change. We are here *because the earth needs a good lawyer*.

Founded in 1971, Earthjustice has a distinguished track record of achieving significant, lasting environmental protections. We achieve this by hiring the best and brightest who share a passion for justice and a healthy environment. Our headquarters are in San Francisco with nine offices across the U.S.

The Office Assistant will work under the direct supervision of the Office Manager to provide administrative support for the Washington, DC Office. This position is essential in providing an efficiently-operated office.

Essential Duties and Responsibilities:

- Ensure overall office appearance, housekeeping and organization, which include upkeep of the kitchen, conference rooms, and copy rooms
- Greet office guests and meeting attendees
- Maintain conference room calendars
- Assist the Vice President of Litigation and Managing Attorneys with administrative tasks as needed
- Oversee the calendaring and coordination of video-conferencing equipment
- Sign for packages; receive and sort U.S. mail, send out Federal Express, UPS and USPS packages
- Assist with preparation of employee reimbursement requests
- Respond to public inquiries
- Assist Office Manager with external vendors and building management
- Act as liaison between DC staff and IT department in addition to working closely with on-site IT representative to resolve urgent matters

- Office point person for visiting staff logistics
- Maintain office inventory and unload stock orders
- Handle staff office equipment inquiries
- Assist with planning and placement of catering orders and hotel bookings for large meetings
- Conduct general research on various topics including recycling policies, hotel rates, conference facilities, transportation services for staff and visitors
- Assist the Litigation and Policy departments on large document production
- Cover for the Office Manager, when necessary
- Other tasks as needed

Requirements:

- Bachelor's degree preferred
- 1 year of relevant office experience
- Excellent computer skills, including a solid understanding of the Microsoft Office suite (ideally 2010) and Adobe Acrobat
- Outstanding problem-solver and proactive thinker
- Strong ability to multi-task, exceptional organizational skills with great attention to detail
- Excellent verbal and written communication skills
- Ability to work with a variety of people and also independently with little supervision
- Sense of humor
- Interest in environmental issues a plus
- Some weekend and off hour work required

We offer a mission and employee-focused work environment and a competitive compensation package including excellent benefits. Diversity is highly valued.

To Apply

Interested candidates should submit a resume along with cover letter to eajusdc_jobs@earthjustice.org. Please include "Office Assistant" in the subject line.

NO TELEPHONE CALLS WILL BE ACCEPTED.

Earthjustice is driven by a passion for justice, partnership and excellence. Our core values lead us to seek a broad range of perspectives and backgrounds to achieve our mission and to maintain an inclusive environment where all staff are valued and respected. As an equal opportunity employer, we are committed to employment practices that ensure that employees and applicants for employment are provided with equal opportunities without regard to race, color, national origin, ancestry, sex, age, religion, physical or mental disability, medical condition, veteran status, marital status, pregnancy, sexual orientation, gender identity, genetic information or any other factor that is not related to the position.



Press Secretary - Bilingual English/Spanish **San Francisco, CA**

Earthjustice is the premier nonprofit environmental law organization. We take on the biggest, most precedent-setting cases across the country. We wield the power of law and the strength of partnership to protect people's health; to preserve magnificent places and wildlife; to advance clean energy; and to combat climate change. We partner with thousands of groups, supporters and citizens to engage the critical environmental issues of our time, and bring about positive change. We are here *because the earth needs a good lawyer*.

Founded in 1971, Earthjustice has a distinguished track record of achieving significant, lasting environmental protections. We achieve this by hiring the best and brightest who share a passion for justice and a healthy environment. Our headquarters are in San Francisco with nine offices across the U.S.

This position, located in Earthjustice's headquarters in San Francisco, is responsible for getting press coverage of Earthjustice litigation and policy work. The Press Secretary works with the media director and media team to deepen and expand the press coverage of Earthjustice issues.

Essential Duties and Responsibilities:

National, Regional and Online Media Relationships:

- Pitches Spanish-language media and conduct media outreach in Spanish.
- Works with media director, media team, litigators and program staff, and clients and coalition partners to build and shape media strategy for a range of environmental issues.
- Coordinates media strategy work and opportunities with Media Team, communications staff, litigators, and policy staff.
- Writes and distributes press releases and background materials on cases of interest to national, regional, and web media.
- Actively pitches reporters, writers, and producers at national and regional papers, magazines, TV and radio shows and stations, and online media outlets.
- Identifies opportunities for enterprise, in-depth coverage of the Earthjustice core issues and pursues them.
- Develops and maintains media lists and contacts.
- Develops and implements social media plans around a range of environmental issues, especially Twitter strategy and implementation.
- Builds relationships with journalists and media influencers who may write about a range of

environmental issues.

- Keeps current on national and important regional and web press contacts and develops press lists for organizational use.
- Provides media with regular updates on Earthjustice activities, as appropriate.
- Pitches enterprise, feature-length, in-depth stories.
- Pitches Earthjustice leaders to TV and radio shows.
- Writes materials for Earthjustice website.
- Helps Media Director and Media Team identify the most pressing media needs and issues of interest to media
- Works with Media Director and Media Team to prepare op-eds, editorial board memos, press releases, and other materials as needed.
- Monitors media coverage.

Media Training & Message Development:

- Works with program staff to assess media needs and develop appropriate media message.
- Develops talking points for program staff and prepares staff for media interviews.
- May help with media training of staff.

Requirements:

- Bachelor's Degree in Journalism, Communications, Political Science, or Marketing preferred.
- Five years experience in reporting or media relations with emphasis on environment or social justice causes preferred.
- Bilingual with strong written and verbal Spanish skills required.
- Outstanding communication skills.
- Experience pitching media
- Relationships with media and journalists.
- Social media experience and skills, especially Twitter.
- Knowledge and ability to use multimedia communications tools.

We offer a mission and employee-focused work environment and a competitive compensation package including excellent benefits. Diversity is highly valued.

To Apply

Interested candidates should submit a resume along with cover letter to jobs@earthjustice.org. Please include "Press Secretary" in the subject line.

NO TELEPHONE CALLS WILL BE ACCEPTED.

Earthjustice is driven by a passion for justice, partnership and excellence. Our core values lead us to seek a broad range of perspectives and backgrounds to achieve our mission and to maintain an inclusive environment where all staff are valued and respected. As an equal opportunity employer, we are committed to employment practices that ensure that employees and applicants for employment are provided with equal opportunities without regard to race, color, national origin, ancestry, sex, age, religion, physical or mental disability, medical condition, veteran status, marital status, pregnancy, sexual orientation, gender identity, genetic information or any other factor that is not related to the position.

To: greenleaders@rabengroup.com[greenleaders@rabengroup.com]
From: Stephanie Maddin
Sent: Wed 7/23/2014 10:39:19 PM
Subject: FW: [CLEAN] Paid internships at USCAN
ATT00001.txt

fyi

Stephanie Maddin
Legislative Counsel
Earthjustice
1625 Massachusetts Ave., NW
Suite 702
Washington, DC 20036
T: 202-745-5210 **Please note new number**
F: 202-667-2356
www.earthjustice.org

Because the earth needs a good lawyer

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From: clean@lists.usclimatenetwork.org [clean@lists.usclimatenetwork.org] On Behalf Of Lara Levison [llevison@climatenetwork.org]
Sent: Wednesday, July 23, 2014 2:17 PM
To: clean@lists.usclimatenetwork.org
Subject: [CLEAN] Paid internships at USCAN

Hi, Friends,

USCAN is seeking candidates for two paid internships.

Policy intern:
<http://www.usclimatenetwork.org/about-us/were-hiring#Policy>

Communications and Outreach Intern:
<http://www.usclimatenetwork.org/about-us/were-hiring#Communications> (deadline: Friday, July 25)

Please forward! Thanks,

Lara

Lara Levison
Program Director/Domestic Policy Director
US Climate Action Network
Washington, DC
202-957-9010
llevison@climatenetwork.org<<mailto:llevison@climatenetwork.org>>

To: Victor Baten[Vbaten@lclaa.org]; Rivera, Keylin[Rivera.Keylin@epa.gov]
Cc: 'adelgado@earthjustice.org' (adelgado@earthjustice.org)[adelgado@earthjustice.org];
vruiz@farmworkerjustice.org[vruiz@farmworkerjustice.org]; Hector Sanchez[Hsanchez@lclaa.org]; Ali,
Mustafa[Ali.Mustafa@epa.gov]; Davis, Kathy[Davis.Kathy@epa.gov]; Bond, Brian[Bond.Brian@epa.gov];
Smith, Kelley[Smith.Kelley@epa.gov]
From: Aguirre, Amanda
Sent: Fri 9/5/2014 8:14:46 PM
Subject: RE: Thank You Letter for Administrator Gina McCarthy & Staff
Administrator McCarthy.pdf

Victor –

The pleasure was ours. Thank you for coming in and for all the work you all have done and continue to do. We will ensure that this gets in the hands of the Administrator and appropriate staff. I have cc'ed here Mustafa Ali who focuses on Environmental Justice, and Kathy Davis from our Office of Pesticides who were in attendance at this meeting. We will be in touch with any questions and please know that we are here as well if you need anything at all. We look forward to continuing to work with you in the future.

Best,

Amanda

Amanda M. Aguirre

Special Assistant for Public Engagement

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1240

Visit EPA's Spanish website: www.epa.gov/espanol

Facebook.com/epaespanol

Twitter.com/epaespanol

From: Victor Baten [mailto:Vbaten@lclaa.org]
Sent: Friday, September 05, 2014 2:59 PM
To: Aguirre, Amanda; Rivera, Keylin
Cc: 'adelgado@earthjustice.org' (adelgado@earthjustice.org); vruiz@farmworkerjustice.org; Hector Sanchez
Subject: Thank You Letter for Administrator Gina McCarthy & Staff

Dear Amanda and Keylin,

On behalf of LCLAA and the coalition of organizations working towards a meaningful and protective Agricultural Worker Protection Standard, I want to thank you both for your time and effort to help us secure this meeting and ensure everything was seamless.

We couldn't have done it without your assistance. We are grateful and look forward to working with you and your colleagues to better protect farmworkers and their families from pesticide exposure.

I am attaching a thank you letter from our organizations and appreciate your help in ensuring it gets to the hands of the Administrator and relevant staff within the agency.

Don't hesitate to let us know if you have any questions.

In Solidarity,

VICTOR BATEN



Policy & Advocacy Coordinator
Labor Council for Latin American Advancement, AFL-CIO ([LCLAA](#))

815 16th Street NW 3rd Floor
Washington, DC 20006
O: 202-508-6919 D: 202-508-6989 F: [202-508-6922](#)
vbaten@lclaa.org



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"Empowering the Latino Workforce: Strengthening our Communities with Unions"

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Yanira Merino, LIUNA
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Guillermo Perez, USW
Yolanda Pumarejo, AFSCME
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Jack Otero, TCU
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Ray Mendoza, LIUNA

Maria Portalatin, AFT, Secretary
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Hector E. Sanchez

LCLAA

815 Sixteenth Street, NW, 3rd Floor
Washington, DC 20006
T: 202.508.6919/F: 202.508.6922
E: headquarters@lclaa.org
Online: www.lclaa.org

September 5, 2014

Gina McCarthy, Administrator
U.S. Environmental Protection Agency
Mailing Code 1101A
Washington, DC 20460

Dear Administrator McCarthy:

We thank you for taking the time to meet with us on August 11th about the proposed Agricultural Worker Protection Standard Revisions. We welcome your administrations recognition that protecting farmworkers from the hazards of pesticides must be a top priority. You heard directly from farmworkers in our meeting how important yet difficult it can be for them to participate in public processes like this one because of language barriers and fear of retaliation. Your careful attention to our reports about the working conditions of farmworkers, and the reprisals they face for reporting on unsafe conditions was heartening to us.

Our organizations have jointly submitted to the docket detailed technical comments proposing changes to the proposed rule that are necessary to ensure parity between farmworkers and workers in other sectors who are exposed to hazardous chemicals on the job. We have also submitted petitions that have been signed by over 200,000 individuals urging the EPA to strengthen the proposed rule in a range of ways. In addition, we collected over 400 handwritten comments from farmworkers about their experiences with pesticide exposure and the need for a stronger Worker Protection Standard, which were submitted to the docket.

We who attended the meeting and colleagues from partner organizations would be pleased to answer any questions you or your staff may have regarding how best to accomplish our shared goal and ensure that the final rule truly protects our nation's farmworkers.

Sincerely,

Hector E. Sanchez (Labor Council for Latin American Advancement)
Virginia Ruiz (Farmworker Justice)
Erik Nicholson (United Farm Workers)
Trip Van Noppen, Eve Gartner and Andrea Delgado (Earthjustice)
Tirso Moreno, Ofelia Aguilar, Miguel Zelaya, Selena Zelaya (Farmworker Association of Florida)
Nelson Carrasquillo, Manuel Guzman, Kathia Ramirez and Marco Salerno (CATA- Comité de Apoyo a Los Trabajadores Agrícolas)
Sorangel Tinajero (Lideres Campesinas / Farmworker Women Leaders)



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Kathy Chavez, AFT
Edgar De Jesus, AFSCME
Rick De La Fuente, IAM&AW
Angel Del Rivero, IUOE
Antonio Fernandez, IUBAC
Jorge Luis Fernandez, UAW
Roy Fernandez, UMW
Miguel Foster, UAW
Alex Garcia, TWU
Jose G. Guerrero, ATU
Yvette Herrera, CWA
Rocio Inclan Rodriguez, NEA
Esther Lopez, UFCW
Jose Lopez, IUPAT
Ricardo Loza, SEIU
Maricruz Manzanarez, AFSCME
Josie Marrujo, AFGE
Jose Melara, UAW
Yanira Merino, LIUNA
Cesar Moreno Perez, AFT
Guillermo Perez, USW
Yolanda Pumarejo, AFSCME
Emil Ramirez, USW
Iram Ramirez, OPEIU
Rose Rangel, SEIU
Jorge Rodriguez, UAW
Rosendo Rocha, AFGE
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Dr. Elena Rios (National Hispanic Medical Association)
Dr. Rosemary Sokas and Amy K. Liebman (Migrant Clinicians Network)
Dan Ford (Columbia Legal Services)
Levy Schroeder (Toxic Free NC)
Sylvia Johnson and Andrew Comai (United Auto Workers)
Mark Magaña (Greenlatinos)
Nathaniel Kinsey (Progressive Caucus)
Anne Katten (California Rural Legal Assistance Foundation)
Margaret Reeves (Pesticide Action Network)

cc:

Jim Jones, Assistant Administrator, Office of Chemical Safety and Pollution Prevention
Louise P. Wise, Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention
Jack Housenger, Director, Office of Pesticide Programs
Kathy Davis, CWPB/FEAD, Office of Pesticide Programs
Kevin Keaney, Chief, Certification and Worker Protection Branch, Office of Pesticide Programs
Joel C. Beauvais, Associate Administrator for Policy, U.S. EPA
Khesha Reed, Acting Director, Office of Children's Health Protection, U.S. EPA
Velveta Golightly-Howell, Acting Director, Office of Civil Rights, U.S. EPA
Matthew Tejada, Director, Office of Environmental Justice
Mustafa Ali, Senior Advisor to the Administrator for Environmental Justice
Amanda Aguirre, Office of Public Engagement
Rosemary Enobakhare, Office of Public Engagement
Cecilia Munoz, Director, White House Domestic Policy Council
Michael Boots, Acting Chair, White House Council on Environmental

LCLAA

815 Sixteenth Street, NW, 3rd Floor
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E: headquarters@lclaa.org
Online: www.lclaa.org

To: greengdiext@rabengroup.com[greengdiext@rabengroup.com]
From: Leslie Fields
Sent: Thur 11/27/2014 7:18:29 AM
Subject: out of office Re: My Spam Report (greengdiext@rabengroup.com)

Hello

I am out of the office until December 1. Thanks, Leslie

--

Leslie G. Fields
Director, Environmental Justice & Community Partnerships Program
Sierra Club
50 F Street NW, Eighth Floor
Washington, DC 20001
202-548-4586
Leslie.Fields@sierraclub.org
www.sierraclub.org/ejcp

To: Lee, Charles[Lee.Charles@epa.gov]; Evans, Carlos[Evans.Carlos@epa.gov]; Tejada, Matthew[Tejada.Matthew@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Riddick, Dorris[Riddick.Dorris@epa.gov]; Batts, Julia[Batts.Julia@epa.gov]
From: Lisa Garcia
Sent: Wed 4/23/2014 10:24:23 PM
Subject: Hey EPA EJ Team!

Hi there!

Wanted to say hi and send my new contact info at Earthjustice. I am in the middle of my first week – out here in San Francisco!

My trip to southeast asia was great- and the first days here fun and overwhelming!

We'll have to plan a lunch so we can all get together.

Hope all is well- and that EPA is thriving !

Miss you all and hope to see you all soon!

Tell OEJ I send my love!

Stay in touch,

Lisa

Lisa F. Garcia

Vice President Of Litigation, Healthy Communities

1625 Massachusetts Ave. Nw Ste. 702

Washington, DC 20036-2243

T: (202) 797-5244

F: (202) 667-2356

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Because the earth needs a good lawyer

To: Tejada, Matthew[Tejada.Matthew@epa.gov]
Cc: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Andrea Delgado
Sent: Thur 8/7/2014 7:36:40 PM
Subject: RE: FYI- Monday August 11th at 11:30AM meeting with McCarthy

Perfect thank you both!

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Tejada, Matthew"
Date: 08/07/2014 3:15 PM (GMT-05:00)
To: Andrea Delgado
Cc: "Ali, Mustafa"
Subject: RE: FYI- Monday August 11th at 11:30AM meeting with McCarthy

Thanks Andrea, I won't be back in DC yet, but am copying Mustafa Ali.

Thanks,

M

Matthew Tejada
Director - Office of Environmental Justice
Environmental Protection Agency
202-564-8047

From: Andrea Delgado [mailto:adelgado@earthjustice.org]
Sent: Thursday, August 07, 2014 1:51 PM
To: Tejada, Matthew
Subject: FYI- Monday August 11th at 11:30AM meeting with McCarthy

Hi Matt, just wanted to let you know that we have a meeting confirmed with the Administrator for 11:30AM on Monday August 11th and share the following for your reference. Hope we can see you there. Let me know if you have any questions.

Thank you,
Andrea Liliana Delgado
Legislative Representative | Healthy Communities
Earthjustice Policy & Legislation Office
1625 Massachusetts Avenue, NW, Suite 702
Washington, D.C. 20036
T: 202.797.5240
C: 202.230.6592

External Meeting Request Form for
Administrator Gina McCarthy

Purpose: To discuss the proposed revisions to the Agricultural Worker Protection Standard Revisions,
Docket ID: EPA-HQ-OPP-2011-0184

Background: A select group of CEOs and EDs from farmworker, labor, Latino, health and environmental

orgs are convening in DC to meet with EPA Administrator Gina McCarthy to talk about the proposed revisions to the Agricultural Worker Protection Standard (WPS)

Meeting Date: August 11th at 11:30am

Suggested Duration: 1 hour

Meeting Participants:

- United Farm Workers (UFW)
 - o Erik Nicholson, Vice President, UFW (via phone)

- Comité de Apoyo a los Trabajadores Agrícolas (CATA)/The Farmworker Support Committee
 - o Nelson Carrasquillo, Director
 - o Manuel Guzman, Lead Organizer/Formal Farmworker
 - o Marco Salerno, Research Coordinator

- Farmworker Association of Florida
 - o Tirso Moreno, Director
 - o Miguel Zelaya (farmworker)
 - o Selena Zelaya (farmworker)
 - o Ofelia Aguilar Anaya (farmworker)

- Farmworker Justice
 - o Virginia Ruiz, Director of Occupational and Environmental Health

- Lideres Campesinas
 - o Sorangel Tinajero, Líderes Campesinas (California)

- Labor Council for Latin American Advancement (LCLAA)
 - o Hector Sanchez, Exec. Director and Victor Baten, Policy Coordinator

- National Hispanic Medical Association (NHMA)

- o Dr. Elena Rios, President
- o John Aguilar, Program Officer

- Progressive Congress
 - o Dr. Gabriela Lemus, Executive Director
 - o Nathaniel Kinsey, Fellow

- Migrant Clinicians Network (MCN)
 - o Rosemary K. Sokas, MD, MOH, Chair Elect

- Earthjustice
 - o Trip Van Noppen, President
 - o Martin Hayden, Vice President
 - o Eve Gartner, Staff Attorney
 - o Andrea Delgado, Legislative Representative
 - o Kari Birdseye, Campaign Manager

- Toxic Free NC
 - o Levy Schroeder, Executive Director

- United Auto Workers (UAW)
 - o Sylvia Johnson, Assistant Director, Legislative Affairs Department, International Union, UAW
 - o Andrew Comai, Industrial Hygienist, International Union, UAW (via phone)

Point of Contact for the Meeting:

- Victor Baten, Ex. 6 - Personal Privacy vbaten@lclaa.org<mailto:vbaten@lclaa.org>
- Andrea Delgado, Ex. 6 - Personal Privacy adelgado@earthjustice.org<mailto:adelgado@earthjustice.org>
- Virginia Ruiz, Ex. 6 - Personal Privacy vruiz@farmworkerjustice.org<mailto:vruiz@farmworkerjustice.org>

Agenda Items (Note: Please be as specific as possible):

- Introductions- everyone (5 mins)
- Opening: Why we are here (5 mins)
- Discussion: Proposed WPS revisions, progress and gaps (30 mins)
- o Farmworkers and farmworker representatives discuss what is good and what is needed (15 minutes)
- Update from EPA on revisions and timing of WPS (15 minutes)
- Next steps and follow ups (5 minutes)

To: GreenLeaders (GreenLeaders@rabengroup.com)[GreenLeaders@rabengroup.com]
From: Stephanie Maddin
Sent: Fri 9/5/2014 3:29:32 PM
Subject: Ceres is hiring --> positions open with Carbon Asset Risk Campaign & California Policy/Partnerships
ATT00001.txt

Dear colleagues: Ceres is hiring! There are currently openings for several positions, including:

-- Senior Manager, Carbon Asset Risk Campaign

-- Senior Manager, California Policy and Partnerships

& others!

More info at: <http://www.ceres.org/about-us/job-opportunities>

Please feel free to share with friends / colleagues (feel free to forward this email).

Best,

Chris

Christopher N. Fox

Director, Special Projects

Ceres

99 Chauncy Street, 6th Fl. | Boston, MA 02111

Tel: 617-247-0700 x115

fox@ceres.org | www.ceres.org

Twitter: @ChristopherNFox @CeresNews

To: GreenLeaders (GreenLeaders@rabengroup.com)[GreenLeaders@rabengroup.com]
From: Stephanie Maddin
Sent: Fri 9/5/2014 3:11:26 PM
Subject: Job Opening: UCS Climate & Energy Program Washington Rep.
ATT00001.txt

Apologies for cross-posting

Hi everyone,

Please forward to anyone you think might be interested.

Kind regards,

Howard Marano

Legislative Assistant – Energy

Union of Concerned Scientists

hmarano@ucusa.org | 202.331.6954

<http://www.ucsusa.org/about/jobs-at-ucs.html#WashRep>

**Washington Representative
Climate & Energy Program
Washington, DC Office**

The Position

Under direction of the Government Affairs Manager – plan, coordinate, and participate in advocacy and outreach efforts in support of UCS’s national climate and energy policy agenda. Provide support for campaigns aimed at achieving UCS policy goals. Advocate UCS climate and energy policy agenda with Congress, the Executive Branch, non-governmental organizations and business groups; represent UCS before media and public; participate in the development of UCS policy positions. Work with other organizations on coordinated lobbying and organizing strategies, including representing UCS at coalition meetings; help identify and cultivate a network of grassroots individuals. Collaborate with members of clean vehicles team and other UCS programs and departments as needed; supervise interns and occasional consultants.

Responsibilities

- Working under the supervision of the Government Affairs Manager, support advocacy efforts on related to UCS’s national climate and energy policy agenda. Help develop and implement campaign strategy for cross-program climate and energy policy, focusing on education and outreach to policymakers and Washington-based stakeholders. Participate in planning and strategy sessions for UCS’s cross-programmatic climate and energy agenda.
- Establish and maintain effective working relationships with congressional representatives, committees, and their staff, administration and agency officials, and advocates from allied organizations.
- Provide UCS input into legislation and regulation; monitor bill progress and assist in producing desired legislative and regulatory outcomes. Write and edit materials for use on the Hill. Involve UCS analysts to provide technical information on transportation, energy, climate and nuclear policy as necessary.
- Contribute to ongoing efforts to recruit individuals to influence key decisionmakers and help achieve UCS policy goals. In coordination with other program staff, develop and implement strategy to attract new voices to UCS campaigns. In accord with our annual programmatic goals and campaign efforts, undertake outreach to representatives of key constituencies such as agriculture, labor, religious groups, public health and consumer groups, and the business community as appropriate to advance UCS goals.
- Working with experts and UCS Climate and Energy program staff to respond to Hill requests for scientific information and policy design proposals on climate and energy issues, and requests for guidance from UCS members, other activists, other advocates, and the general public. Working with outreach staff, provide regular updates on the status of key legislation and policy issues through updates to UCS’ lobby caucus and for UCS publications.
- Coordinating with the relevant Washington Representatives and outreach staff, help plan and participate in lobby days and other education and outreach activities. Represent UCS at public events and conferences. Present information on UCS policy agenda to various groups, including regulators, legislative committees, civic and community organizations, etc. Write testimony, fact sheets, briefing papers, speeches, presentations, and other advocacy materials, in collaboration with other UCS staff. Participate in conference panels and briefings and represent UCS in coalition meetings.
- Help respond to press inquiries on selected climate and energy issues. Maintain effective working relationships with press representatives who cover Congress on relevant issues. Write and contribute to materials for distribution to the media. In consultation with UCS media staff, conduct interviews with media representatives; draft press releases, op-eds, and letters to the editor; blog writing.
- Maintain working knowledge of general climate policy issues and legislation, and clean energy work.

- As needed, provide input to the Outreach Committee to help coordinate grassroots activities and utilization of UCS resources and infrastructure. Serve on the internal legislative group, the Lobby Caucus. Help coordinate advocacy activities and issue campaign needs with UCS development, communications, and administrative staff.

- Contribute to foundation proposals and reports.

Qualifications and experience

Position requires knowledge of effective issue campaign development, an understanding of advocacy campaigns and the legislative process, including advocacy techniques, legislative strategy, as well as familiarity with the relevant Congressional committees and the decision-making process of the executive branch of the federal government. Working knowledge of energy and climate policy is strongly preferred, as are skills in public speaking and written communication. A bachelor's degree is required, with advanced degree in related field desirable. Training or experience in supervision and project management is also desirable. Proficiency in word processing and database software is required.

Work requires a minimum of 5 years of full-time comparable legislative or advocacy experience with additional experience in campaign planning, and an understanding of political organizing and strategy development at the federal or state level desired. A prerequisite for this position is proven advocacy and communication skills and experience working either in Congress or for NGOs working to influence governmental decision-making. Success and experience in utilizing Social Media.

At UCS, comparable training and/or experience can be substituted for degrees when appropriate.

UCS is an equal opportunity employer continually seeking to diversify its staff and to broaden opportunities for individuals from demographic groups that are historically underrepresented in the sciences and in environmental advocacy

Compensation, Hours and Location: This is a full-time position based in UCS's Washington, DC office. For candidates who meet all position requirements, the salary is in the mid \$60,000s. UCS offers excellent benefits and a rewarding work environment.

To Apply: Please submit a cover letter, resume, relevant writing sample, salary requirements, and how you learned about the position via email to jobs@ucsusa.org and include "Washington Rep" in the subject line. Email materials in Word or PDF format only. No phone calls please. **Deadline:** October 13, 2014 or until filled.

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Lisa Garcia
Sent: Thur 5/22/2014 10:07:23 PM
Subject: Re: Title VI

I also told him to talk to OCR

Sent from my iPhone

> On May 22, 2014, at 6:05 PM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:

>

> They will be ok.

>

> From: Lisa Garcia <lgarcia@earthjustice.org>

> Sent: Thursday, May 22, 2014 6:02:22 PM

> To: Ali, Mustafa

> Subject: Re: Title VI

>

> I tried to do my best explaining the progress OCR did make even though still work had to be done!

> I hope they are not mad at me or Charles - we did our best given the facts!!!

> Hope today went well!

>

>

> Sent from my iPhone

>

>> On May 22, 2014, at 4:59 PM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:

>>

>> This just came out today. I think OCR is a bit mad about the article.

>>

>> <http://grist.org/cities/the-epa-attempts-cpr-on-its-own-civil-rights-act-enforcement/>

To: Andrea Delgado[adelgado@earthjustice.org]
Cc: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Tejada, Matthew
Sent: Thur 8/7/2014 7:14:41 PM
Subject: RE: FYI- Monday August 11th at 11:30AM meeting with McCarthy

Thanks Andrea, I won't be back in DC yet, but am copying Mustafa Ali.

Thanks,

M

Matthew Tejada

Director - Office of Environmental Justice

Environmental Protection Agency

202-564-8047

From: Andrea Delgado [mailto:adelgado@earthjustice.org]
Sent: Thursday, August 07, 2014 1:51 PM
To: Tejada, Matthew
Subject: FYI- Monday August 11th at 11:30AM meeting with McCarthy

Hi Matt, just wanted to let you know that we have a meeting confirmed with the Administrator for 11:30AM on Monday August 11th and share the following for your reference. Hope we can see you there. Let me know if you have any questions.

Thank you,

Andrea Liliana Delgado

Legislative Representative | Healthy Communities

Earthjustice Policy & Legislation Office

1625 Massachusetts Avenue, NW, Suite 702

Washington, D.C. 20036

T: 202.797.5240

External Meeting Request Form for Administrator Gina McCarthy

Purpose: To discuss the proposed revisions to the Agricultural Worker Protection Standard Revisions, Docket ID: EPA-HQ-OPP-2011-0184

Background: A select group of CEOs and EDs from farmworker, labor, Latino, health and environmental orgs are convening in DC to meet with EPA Administrator Gina McCarthy to talk about the proposed revisions to the Agricultural Worker Protection Standard (WPS)

Meeting Date: August 11th at 11:30am

Suggested Duration: 1 hour

Meeting Participants:

• ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ United Farm Workers (UFW)

- o Erik Nicholson, Vice President, UFW (via phone)

• ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ Comité de Apoyo a los Trabajadores Agrícolas (CATA)/The Farmworker Support Committee

- o Nelson Carrasquillo, Director
- o Manuel Guzman, Lead Organizer/Former Farmworker
- o Marco Salerno, Research Coordinator

• ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ Farmworker Association of Florida

- o Tirso Moreno, Director
- o Miguel Zelaya (farmworker)

- o Selena Zelaya (farmworker)
- o Ofelia Aguilar Anaya (farmworker)

- [REDACTED] Farmworker Justice
 - o Virginia Ruiz, Director of Occupational and Environmental Health

- [REDACTED] Lideres Campesinas
 - o Sorangel Tinajero, Líderes Campesinas (California)

- [REDACTED] Labor Council for Latin American Advancement (LCLAA)
 - o Hector Sanchez, Exec. Director and Victor Baten, Policy Coordinator

- [REDACTED] National Hispanic Medical Association (NHMA)
 - o Dr. Elena Rios, President
 - o John Aguilar, Program Officer

- [REDACTED] Progressive Congress
 - o Dr. Gabriela Lemus, Executive Director
 - o Nathaniel Kinsey, Fellow

- [REDACTED] Migrant Clinicians Network (MCN)
 - o Rosemary K. Sokas, MD, MOH, Chair Elect

- [REDACTED] Earthjustice

- o Trip Van Noppen, President
- o Martin Hayden, Vice President
- o Eve Gartner, Staff Attorney
- o Andrea Delgado, Legislative Representative
- o Kari Birdseye, Campaign Manager

• [REDACTED] Toxic Free NC

- o Levy Schroeder, Executive Director

• [REDACTED] United Auto Workers (UAW)

- o Sylvia Johnson, Assistant Director, Legislative Affairs Department, International Union, UAW
- o Andrew Comai, Industrial Hygienist, International Union, UAW (via phone)

Point of Contact for the Meeting:

- [REDACTED] Victor Baten, [REDACTED] vbaten@lclaa.org
- [REDACTED] Andrea Delgado, [REDACTED] adelgado@earthjustice.org
- [REDACTED] Virginia Ruiz, [REDACTED] vruiz@farmworkerjustice.org

Agenda Items (Note: Please be as specific as possible):

- [REDACTED] Introductions- everyone (5 mins)
- [REDACTED] Opening: Why we are here (5 mins)
- [REDACTED] Discussion: Proposed WPS revisions, progress and gaps (30 mins)

o Farmworkers and farmworker representatives discuss what is good and what is needed (15 minutes)

•□□□□□□□ Update from EPA on revisions and timing of WPS (15 minutes)

•□□□□□□□ Next steps and follow ups (5 minutes)

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Lisa Garcia
Sent: Thur 5/22/2014 10:02:22 PM
Subject: Re: Title VI

I tried to do my best explaining the progress OCR did make even though still work had to be done!
I hope they are not mad at me or Charles - we did our best given the facts!!!
Hope today went well!

Sent from my iPhone

> On May 22, 2014, at 4:59 PM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:
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> <http://grist.org/cities/the-epa-attempts-cpr-on-its-own-civil-rights-act-enforcement/>

To: [Ex. 6 - Personal Privacy] Brenda Richardson [Ex. 6 - Personal Privacy] Patrice Simms[PSimms@law.howard.edu]; Sacoby Wilson[swilson2@umd.edu]; Patterson, Jacqueline[jpatterson@naacpnet.org]; Kari Fulton [Ex. 6 - Personal Privacy] Nse Witherspoon[nobot@cehn.org]; mthemba@praxisproject.org[mthemba@praxisproject.org]; Lilian Molina [Ex. 6 - Personal Privacy] Falon Shackelford [Ex. 6 - Personal Privacy] Mark Magana [Ex. 6 - Personal Privacy] Shahyd, Khalil[kshahyd@nrdc.org]; Nicole W. Sitaraman [Ex. 6 - Personal Privacy] Brentin Mock[bmock@arc.org]; Shamar Bibbins[shamar@greenforall.org]; Jalonnie White-Newsome[jalonnie@weact.org]; Deeohn Ferris [Ex. 6 - Personal Privacy] [Ex. 6 - Personal Privacy] Jose Aguto[Jose@fcn1.org]; Parisa [Ex. 6 - Personal Privacy] Dennis Chestnut[dennis@groundworkdc.org]; Irv Sheffey [Ex. 6 - Personal Privacy] Danielle Deane[ddeane@rabengroup.com]; Andrea Delgado[adelgado@earthjustice.org]; Debra Mayfield[dmayfield@earthjustice.org]; Ali, Mustafa[Ali.Mustafa@epa.gov]; King, Marva[King.Marva@EPA.GOV]; Neal, Daria (CRT)[Daria.Neal@usdoj.gov]; Quentin Pair (External)[Quentin.Pair@usdoj.gov]; Emira Woods[emira@ips-dc.org]; Tina Johnson[tina@energyactioncoalition.org]; Mk Dorsey[mkdorsey@professordorsey.com]

From: Leslie Fields

Sent: Mon 4/14/2014 9:28:34 PM

Subject: INVITATION: 2014 Goldman Prize winner for Africa would like to meet DC area EJ folks and supporters May 2, 2-4pm

Dear Friends

I hope you're enjoying our Spring! The Goldman Prize Foundation informed me that this year's winner for Africa would like to meet local EJ folks while he is in town for the ceremony. So I'm putting together a meeting for him (all the winners' names are embargoed until late April). So you are cordially invited to meet this outstanding activist from the Continent, to share fellowship and strategies, here at the Sierra Club (address below) from 2-4pm on May 2.

Please rsvp and feel free to invite others, especially interns and students but please send me the names. Thanks, Leslie

--

Leslie G. Fields

Director, Environmental Justice & Community Partnerships Program

Sierra Club

50 F Street NW, Eighth Floor

Washington, DC 20001

202-548-4586

Leslie.Fields@sierraclub.org

www.sierraclub.org/ejcp

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Andrea Delgado
Sent: Thur 8/7/2014 5:51:19 PM
Subject: FYI- Monday August 11th at 11:30AM meeting with McCarthy

Hi Mustafa, just wanted to let you know that we have a meeting confirmed with the Administrator for 11:30AM on Monday August 11th and share the following for your reference. Hope we can see you there. Let me know if you have any questions.

Thank you,

Andrea Liliana Delgado

Legislative Representative | Healthy Communities

Earthjustice Policy & Legislation Office

1625 Massachusetts Avenue, NW, Suite 702

Washington, D.C. 20036

T: 202.797.5240

C: 202.230.6592

External Meeting Request Form for Administrator Gina McCarthy

Purpose: To discuss the proposed revisions to the Agricultural Worker Protection Standard Revisions, Docket ID: EPA-HQ-OPP-2011-0184

Background: A select group of CEOs and EDs from farmworker, labor, Latino, health and environmental orgs are convening in DC to meet with EPA Administrator Gina McCarthy to talk about the proposed revisions to the Agricultural Worker Protection Standard (WPS)

Meeting Date: August 11th at 11:30am

Suggested Duration: 1 hour

Meeting Participants:

- ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ United Farm Workers (UFW)
 - o Erik Nicholson, Vice President, UFW (via phone)

- [REDACTED] Comité de Apoyo a los Trabajadores Agrícolas (CATA)/The Farmworker Support Committee

- o Nelson Carrasquillo, Director
- o Manuel Guzman, Lead Organizer/Former Farmworker
- o Marco Salerno, Research Coordinator

- [REDACTED] Farmworker Association of Florida

- o Tirso Moreno, Director
- o Miguel Zelaya (farmworker)
- o Selena Zelaya (farmworker)
- o Ofelia Aguilar Anaya (farmworker)

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- o Virginia Ruiz, Director of Occupational and Environmental Health

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- o Dr. Elena Rios, President

- o John Aguilar, Program Officer

- Progressive Congress

- o Dr. Gabriela Lemus, Executive Director
- o Nathaniel Kinsey, Fellow

- Migrant Clinicians Network (MCN)

- o Rosemary K. Sokas, MD, MOH, Chair Elect

- Earthjustice

- o Trip Van Noppen, President
- o Martin Hayden, Vice President
- o Eve Gartner, Staff Attorney
- o Andrea Delgado, Legislative Representative
- o Kari Birdseye, Campaign Manager

- Toxic Free NC

- o Levy Schroeder, Executive Director

- United Auto Workers (UAW)

- o Sylvia Johnson, Assistant Director, Legislative Affairs Department, International Union, UAW
- o Andrew Comai, Industrial Hygienist, International Union, UAW (via phone)

Point of Contact for the Meeting:

- Victor Baten, 561-358-0254, vbaten@lclaa.org
- Andrea Delgado, 202-230-6592, adelgado@earthjustice.org
- Virginia Ruiz, 703-731-5810, vrui@farmworkerjustice.org

Agenda Items (Note: Please be as specific as possible):

- Introductions- everyone (5 mins)
- Opening: Why we are here (5 mins)
- Discussion: Proposed WPS revisions, progress and gaps (30 mins)
 - o Farmworkers and farmworker representatives discuss what is good and what is needed (15 minutes)
- Update from EPA on revisions and timing of WPS (15 minutes)
- Next steps and follow ups (5 minutes)

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Lisa Garcia
Sent: Thur 5/22/2014 5:24:36 PM
Subject: RE: are we on for today?where should we meet at 2pm?

Ok- will hop on metro and see you there. Have a meeting now until about 1.50pm- see you soon!

From: Ali, Mustafa [mailto:Ali.Mustafa@epa.gov]
Sent: Thursday, May 22, 2014 1:12 PM
To: Lisa Garcia
Subject: Re: are we on for today?where should we meet at 2pm?

How about Del Frisco's?

From: Lisa Garcia <lgarcia@earthjustice.org>
Sent: Thursday, May 22, 2014 1:03:47 PM
To: Ali, Mustafa
Subject: are we on for today?where should we meet at 2pm?

Lisa F. Garcia

Vice President Of Litigation, Healthy Communities

1625 Massachusetts Ave. Nw Ste. 702

Washington, DC 20036-2243

T: (202) 797-5244

F: (202) 667-2356

Facebook/Earthjustice

Twitter@Earthjustice



Because the earth needs a good lawyer

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Leslie Fields
Sent: Tue 11/25/2014 10:04:09 PM
Subject: Re: Gov. Patrick orders agencies to focus on Environmental Justice

Thanks & Happy Thanksgiving!

On Nov 25, 2014 4:58 PM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:

Hi everyone,

I wanted to share this very good news:

http://www.nashobapublishing.com/ci_27010740/patrick-orders-agencies-focus-environmental-justice

Blessings,

Mustafa Santiago Ali

Senior Advisor to the Administrator

for Environmental Justice (Acting)

Environmental Protection Agency

WJC 2226

Phone: [202-564-2606](tel:202-564-2606)

Email: ali.mustafa@epa.gov

To: Yvette Alexander[yalexander@dccouncil.us]; Ab Jordan[8D03@anc.dc.gov]; Khalil Abdullah[kabdullah@newamericamedia.org]; Erica Bannerman[Ex. 6 - Personal Privacy]; Barry Carey[barry.carey@dc.gov]; Javier Barker[Ex. 6 - Personal Privacy]; Dennis Chestnut[dennis@groundworkdc.org]; Christopher Bradshaw[chris@dreamingoutloud.org]; [Ex. 6 - Personal Privacy]; Alecia Carter[Ex. 6 - Personal Privacy]; Calvin H. Gurley[Ex. 6 - Personal Privacy]; Dr. Dwane Jones[Ex. 6 - Personal Privacy]; David Garcia[dgarcia@nvrpa.org]; Veronica Davis[vdavis@nspiregreen.com]; Leslie Fields[leslie.fields@sierraclub.org]; Kari Fulton[Ex. 6 - Personal Privacy]; Tim Fields[tfields@michaeldbaker.com]; Johnny Gaither[Ex. 6 - Personal Privacy]; Howard. Ways[Ex. 6 - Personal Privacy]; Maisie Hughes[mhughes@caseytrees.org]; Laurel Imlay[Laurel.Imlay@sierraclub.org]; [Ex. 6 - Personal Privacy]; Maria Johnson[Ex. 6 - Personal Privacy]; Janet Phoenix[Ex. 6 - Personal Privacy]; Keith Ware[Ex. 6 - Personal Privacy]; Jeffery, Kevin (DDOE)[kevin.jeffery@dc.gov]; Ronald Leste[Ex. 6 - Personal Privacy]; Chancee Lundy[clundy@nspiregreen.com]; Mark James[mjames@urbangreenpartners.com]; Pamela Nelson[pnelson@opc-dc.gov]; Nicole Williams Sitaraman[Ex. 6 - Personal Privacy]; Jalonnie White-Newsome[jalonnie@weact.org]; Nicole Maywah[Ex. 6 - Personal Privacy]; George Nichols[gnichols@dcseu.com]; Quentin James[Ex. 6 - Personal Privacy]; Larry Steele[Ex. 6 - Personal Privacy]; Leah Qusba[leah.qusba@climateeducation.org]; Ralph Chittams[Ex. 6 - Personal Privacy]; sandra.lee3@dc.gov[sandra.lee3@dc.gov]; Sankar Sitaraman[Ex. 6 - Personal Privacy]; Sarah Anderson[Sarah@actrees.org]; Tiffane White[Ex. 6 - Personal Privacy]; Tolessa Deksisssa[Ex. 6 - Personal Privacy]; victor ukpolo[Ex. 6 - Personal Privacy]; Vence Bonham[vence.bonham@sierraclub.org]; Crystal Banks[Ex. 6 - Personal Privacy]; [Ex. 6 - Personal Privacy]; Gregori Stewart[Ex. 6 - Personal Privacy]; Zandra Chestnut[Ex. 6 - Personal Privacy]; Karim D. Marshall, Esq[Ex. 6 - Personal Privacy]; Mark Long[mlong@dccouncil.us]; Philip Pannell[Ex. 6 - Personal Privacy]; Phong Trieu[ptrieu@mwcog.org]; Philip E. O'Neal[Ex. 6 - Personal Privacy]; Mary & Phil Hammond[Ex. 6 - Personal Privacy]; Ted Trabue[ttrabue@dcseu.com]; Tendani Mpulubusi[Ex. 6 - Personal Privacy]; Tene Lewis[tene.lewis@sierraclub.org]; Surabhi Shah[Ex. 6 - Personal Privacy]; Khalil Shahyd[Ex. 6 - Personal Privacy]; Cooke, Sharon (DDOE)[sharon.cooke@dc.gov]; Shanice Penn[shanice.penn@sierraclub.org]; Lisa Shaw[Ex. 6 - Personal Privacy]; Lisa White[Ex. 6 - Personal Privacy]; Lisa Crawford[lcrawford@capitolbusinesssolutions.com]; Lauryn Nwankpa[lauryn@hiphopcaucus.org]; Rev Lennox Yearwood[rev@hiphopcaucus.org]; William Hare[Ex. 6 - Personal Privacy]; Herb Jones[hjones@opc-dc.gov]; Herbert Harris Jr[Ex. 6 - Personal Privacy]; David Smith[pearlcoalition@gmail.com]; Glen O'Gilvie[gleno@nonprofitadvancement.org]; Christopher Jerry[Ex. 6 - Personal Privacy]; Ruth E. Marshall[Ex. 6 - Personal Privacy]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Wanda Carter[Ex. 6 - Personal Privacy]; Donna Cooper[dcooper@pepco.com]; Don Edwards[don@salic.com]; Kristal Wortham[Ex. 6 - Personal Privacy]; Alberta Paul[Ex. 6 - Personal Privacy]; kmbowden@pepco.com[kmbowden@pepco.com]; fmahvi@pepco.com[fmahvi@pepco.com]; Stanislaus, Mathy[Stanislaus.Mathy@epa.gov]; Dr. Sacoby Wilson[swilson2@umd.edu]; Patrice Simms[PSimms@law.howard.edu]; Vaughn Perry[Ex. 6 - Personal Privacy]; Parisa Norouzi[parisa@empowerdc.org]; Rufus Norris[rufus.norris@dc.gov]; Karen Leu[Ex. 6 - Personal Privacy]; keith.anderson@dc.gov[keith.anderson@dc.gov]; Emil King[emil.king@dc.gov]; Eugene Kinlow[Ex. 6 - Personal Privacy]; Anthony Möttley[Ex. 6 - Personal Privacy]; Rev. Kendrick Curry[Ex. 6 - Personal Privacy]; JoVita Wells[Ex. 6 - Personal Privacy]; Gulstone, Ronan (Council)[RGulstone@dccouncil.us]; Barry, Marion (COUNCIL)[mbarry@dccouncil.us]; Councilmember Kenyon McDuffie[kmcduffie@dccouncil.us]; Amin Muslim[amuslim@dccouncil.us]; Akili West[Ex. 6 - Personal Privacy]; Sudi West[sudi.west@reclamationenergy.com]; Moses McCall[Ex. 6 - Personal Privacy]; Alex Romero[alex_romero@nps.gov]; Robert L. Hall[Ex. 6 - Personal Privacy]; Robin Marlin[robin.marlin@dc.gov]; Samuel Jordan[Ex. 6 - Personal Privacy]; Darryl Gaston[8B03@anc.dc.gov]; [Ex. 6 - Personal Privacy]; Judith Barrow[Ex. 6 - Personal Privacy]; Henderson, Kathy (ANC 5D05)[5D05@anc.dc.gov]; Eley, Carlton[Eley.Carlton@epa.gov]; Fred Tutman[info@paxriverkeeper.org]; Ed Fisher[efisher@dccouncil.us]

From: Irv Sheffey

Sent: Wed 6/18/2014 9:34:15 PM

Subject: EPoC – DC Spring Meet & Greet

What are you doing this Thursday? Well, come out to...

EPoC – DC Spring Meet & Greet

*Yes it's still spring at least for a few more days (the **solstice fall on June 21 at 6:51 A.M. EDT**); so come out and celebrate this passage of time with your colleagues by coming out this Thursday evening, June 19th.*

We will be socially gathering at:

The 201 Bar

201 Massachusetts Avenue NE

Washington DC 20002

6:00 TO 8:00 PM

We hope that you'll come out, bring a friend or two and meet other professionals of color engage in the environment, making this Earth a better place for all to live.

You should have received an e-vite in a previous email notice. Please use that to RSVP.

If you would like to learn more about **Environmental Professionals of Color (EPoC)** go to [:http://cdeinspires.org/our-services/movement-building/environmental-professionals-of-color-epoc/](http://cdeinspires.org/our-services/movement-building/environmental-professionals-of-color-epoc/)

To join our DC Chapter and listserv, go to: <https://groups.google.com/d/forum/epoc-dc>

See you on Thursday

Irv

Irv Sheffey

3101 Pennsylvania Avenue, SE No. 314

Washington, DC 20020

Ex. 6 - Personal Privacy

202-299-6503 (cell)

irv.sheffey@gmail.com

"be the change you want to see" - Mahatma Gandhi

To: [Ex. 6 - Personal Privacy]
Cc: Leslie Fields[leslie.fields@sierraclub.org]; [Ex. 6 - Personal Privacy]
Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Lee, Charles
Sent: Wed 6/1/2016 12:51:49 PM
Subject: EJ 2020

Aaron

It was good talking with you last week. As you requested, here are the links to the EJ 2020 strategic plan and the blog associated with it.

<https://www.epa.gov/environmentaljustice/ej-2020-action-agenda>

<https://blog.epa.gov/blog/2016/05/ej-ej2020-2/>

I look forward to an opportunity to talk with you. Perhaps we can set up a time to talk.

Thanks

Charles

Charles Lee
Deputy Associate Assistant Administrator for Environmental Justice
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (MC 2201A)
William Jefferson Clinton Building South, Room 2226B

Tel: 202-564-2597
Fax: 202-564-1624

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To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Marianne Engelman Lado
Sent: Tue 5/24/2016 1:49:02 PM
Subject: IWG
[ATT00001.txt](#)
[EJ 2020 Exec Summary 05-15-16.pdf](#)

Mustafa,

Congrats on getting the EJ 2020 Action Plan out the door.

This email exchange reminded me that I was hoping to follow up with you on reaching out to the Region 4 EJ IWG. Please let me know if you have a couple of minutes.

Best,

Marianne

Marianne Engelman Lado

Senior Staff Attorney

Earthjustice

48 Wall Street, 19th Floor

New York, NY 10005

T: 212.845.7393

F: 212.918.1556

earthjustice.org



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From: title-vi-advocacy@googlegroups.com [mailto:title-vi-advocacy@googlegroups.com] **On Behalf Of** Vincent Martin
Sent: Monday, May 23, 2016 11:51 PM
To: title-vi-advocacy@googlegroups.com; EJ Title VI Google Group; mi-ej-leadership@googlegroups.com
Subject: Fwd: EJ 2020 Exec Summary 05-15-16.pdf

----- Forwarded message -----

From: "Ali, Mustafa" <Ali.Mustafa@epa.gov>
Date: May 23, 2016 4:10 PM
Subject: EJ 2020 Exec Summary 05-15-16.pdf
To: "Vincent Martin" Ex. 6 - Personal Privacy
Cc:

Vincent,

EJ2020 is being released today for public comment. I wanted to make sure you had a copy of the Executive Summary.

Blessings
Mustafa

--

You received this message because you are subscribed to the Google Groups "Title VI Advocacy" group.
To unsubscribe from this group and stop receiving emails from it, send an email to title-vi-advocacy+unsubscribe@googlegroups.com.
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EJ 2020 Executive Summary

May 15, 2016

Clean water and clean air don't just happen, especially in low-income and minority communities. These are essential resources that we have to invest in protecting and that starts with communities, cities, states and tribes. This problem isn't easy. We won't fix it overnight. It's only when we work together that we will be able to deliver these basic rights to every American, no matter who they are, where they live, or how much money they make. Everyone deserves to have their health protected from environmental exposures.

Administrator Gina McCarthy

INTRODUCTION

The EJ 2020 Action Agenda (EJ 2020) is the U.S. Environmental Protection Agency's (EPA) strategic plan for environmental justice for 2016-2020. EJ 2020 will build on the foundation established by EPA's previous plan, Plan EJ 2014, as well as decades of significant environmental justice practice by the Agency, communities and our partners.

VISION

By 2020, we envision an EPA that integrates environmental justice into everything we do, cultivates strong partnerships to improve on-the-ground results, and charts a path forward for achieving better environmental outcomes and reducing disparities in the nation's most overburdened communities. Achieving this vision will help to make our vulnerable, environmentally burdened, and economically disadvantaged communities healthier, cleaner and more sustainable places in which to live, work, play and learn.

GOALS

We will achieve EJ 2020's vision through three goals. Each goal, its priority areas, along with examples of key actions, are outlined below.

Goal I: Deepen environmental justice practice within EPA programs to improve the health and environment of overburdened communities.

This goal will focus on four areas: (1) Rulemaking, (2) Permitting, (3) Compliance and Enforcement, and (4) Science.

- Institutionalize environmental justice in rulemaking through implementation of guidance, training, monitoring, evaluation and community involvement, including rigorous assessments of environmental justice analyses in rules.
- Establish a framework and tools for considering environmental justice in EPA-issued permits and design, and implement a process for "joint learning" with regulatory partners on incorporating environmental justice into permitting.
- Direct more enforcement resources to address pollution and public health burdens caused by violations of environmental laws in overburdened communities, increase compliance evaluations, enforcement actions and settlements that benefit those communities, and conduct community-based compliance and enforcement strategies in 100 of the most overburdened communities.
- Routinely analyze, consider and address environmental justice issues in all appropriate EPA rulemaking, permitting and enforcement actions.
- Routinely use best practices for meaningful community engagement.
- Implement the EJ Research Roadmap to develop tools that provide a stronger scientific basis for action to address environmental justice and cumulative impact issues, conduct research that inform cumulative risk assessment, and develop innovative tools for monitoring and controlling environmental contamination.

Goal II: Work with partners to expand our positive impact within overburdened communities.

This goal will focus on four areas: (1) States and Local Governments, (2) Federal Agencies, (3) Community-Based Work, and (4) Tribes and Indigenous Peoples.

- Work with states and local governments to develop and implement a phased approach to building on-the-ground collaborations, identifying best practices, supporting peer-to-peer learning, and fostering cross-program planning, and establish shared expectations through Performance Partnership Agreements and other planning and accountability mechanisms.
- Advance environmental justice within federal agencies through the Interagency Working Group on Environmental Justice, with emphasis on strengthening consideration of environmental justice in the National Environmental Policy Act process and addressing impacts from commercial distribution of freight (goods movement).
- Support communities' day-to-day needs through best practices for community-based work currently employed by the agency, including community revitalization efforts.
- Implement the EPA policy on environmental justice for working with federally recognized tribes and indigenous peoples.

Goal III: Demonstrate progress on significant national environmental justice challenges.

This goal will focus on four areas: (1) Lead Disparities, (2) Drinking Water, (3) Air Quality, and (4) Hazardous Waste Sites.

- Work to eliminate disparities in childhood blood lead levels. EPA will convene partners to identify geographic areas with the greatest lead exposures, reduce sources of lead contamination, and take national action to reduce lead in drinking water.
- Work to ensure all people served by community water systems have drinking water that meets applicable health based standards. We will place special emphasis on addressing drinking water challenges in underserved communities.
- Achieve air quality that meets the fine particle pollution national ambient air quality standards for all low-income populations as soon as practicable and no later than the statutory attainment date.
- Reduce human exposure to contamination at hazardous waste sites, with emphasis on minority, low-income and vulnerable communities.

EPA will: (1) deploy a suite of programs, actions and measures in these areas; and (2) evaluate progress, enhance measures as appropriate, and explore the development of a few additional national environmental justice measures and associated strategies.

WHAT'S IN EPA'S EJ 2020 ACTION AGENDA

EJ 2020 is EPA's EJ plan of action that will involve every EPA office and region. EJ 2020 consists of eight priority areas and four significant national environmental justice challenges; each of these has its own section in this document, laying out the agency's objectives, the plan for achieving them, and how we will measure success. EPA expects to periodically review and, as appropriate revise, the actions we undertake to meet these goals. Every national program and region has assumed the responsibility of co-leading at least one of the plan's priority areas; leadership responsibilities are included in each section.

CONCLUSION

Over the next five years, EPA will advance environmental justice to a new level and make a more visible difference in the environmental and public health landscape. Strengthening our collaborations with the communities we serve, our governmental partners and interested stakeholders will be key to achieving this vision.

Cc: Andrea Delgado[andreadelgado@greenlatinos.org];
parras.juan[Ex. 6 - Personal Privacy]
paulap@liderescampesinas.org[paulap@liderescampesinas.org]; Ali, Mustafa[Ali.Mustafa@epa.gov];
Mark Magana[markmagana@greenlatinos.org];
suguet@liderescampesinas.org[suguet@liderescampesinas.org]
To: Lisa Garcia[lgarcia@earthjustice.org]
From: Robert Garcia
Sent: Mon 5/23/2016 10:52:56 PM
Subject: Re: Panel: Creating Jemez Principled Coalitions

What are Jemez principles? Can you please email them now so we can prepare?

Robert García
Founding Director and Counsel
The City Project
1055 Wilshire Blvd., Suite 1660
Los Angeles, CA 90017
rgarcia@cityprojectca.org
213-260-1035
Visit our website and blog at
www.cityprojectca.org

cityprojectca.tumblr.com
facebook.com/TheCityProject | facebook.com/robert.garcia1
twitter @CityProjectCA | @Robert_Garcia
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linkedin.com/in/robertgarcia2

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On May 23, 2016, at 12:39 PM, Lisa Garcia <lgarcia@earthjustice.org> wrote:

Will we have paper copies of the Jemez principles for the room? Or have them on a screen so people can see them?

Vamos a tener copias en papel para los registrantes – para que lo puedan leer?

From: Andrea Delgado [<mailto:andreadelgado@greenlatinos.org>]
Sent: Sunday, May 22, 2016 9:19 PM
To: Robert Garcia; parras.juan[Ex. 6 - Personal Privacy]; paulap@liderescampesinas.org; Lisa Garcia; ali.mustafa@epa.gov; Mark Magana; suguet@liderescampesinas.org
Subject: Panel: Creating Jemez Principled Coalitions

Dear Robert, Paula, Juan, Lisa and Mustafa, (**Paula- este correo es para conectarte a los panelistas, yo te mando la traducción de este correo en español).

First of all, thank you all SO much for lending your time and expertise to the May 26th, 9:00 am panel titled,
"Creating Jemez Principled Coalitions - Working Together In Solidarity and Mutuality by Building Just Relationships Among Ourselves "

You are all distinguished experts in your field with experience that precedes and/or extends beyond the current institutions you represent so I do not intend to confine you. What I share below is meant to provide a starting point for your respective presentations.

To kick off the conversation, I want to make sure you have a sense of who you will be sharing the panel with and connect you so you can be in touch prior to your presentations.

As you know, whether it's at the community or national level (and everywhere in between), GreenLatinos work in every sector of environmental, natural resources, and conservation policy and advocacy. Often historical differences and disputes prevent us from working together. Given the magnitude of the challenges and opportunities our communities face, and in order to succeed, our hope is to have GreenLatinos working in solidarity and mutuality, at all levels, and in just partnerships to succeed. Together, we are exponentially stronger when we reach across sectors to achieve our common goals. This session is intended to have a frank and respectful conversation about the past with a focus on the future and how we move forward together with the goal of preventing the repetition of historical mistakes.

Thursday, May 26:

9:00am – 10:30pm Panel: Creating Jemez Principled Coalitions - Working Together In Solidarity and Mutuality by Building Just Relationships Among Ourselves (Explorers Room)

Moderator: Mark Magaña, GreenLatinos

Panelists: **10-15 minute presentations, 30 mins of Q & A**

- Robert Garcia, Founding Director and Counsel, The City Project
- Juan Parras, Director, Texas Environmental Justice Advocacy Series
- Paula Placencia, Labor Conditions Coordinator, Lideres Campesinas (with interpreter: Andrea Delgado)
- Lisa Garcia, Vice President of Litigation, Earthjustice
- Mustafa Ali, Senior Advisor to the Administrator of the U.S. Environmental Protection Agency

Please let me know if you have any questions. Looking forward to seeing you all at the Grand Teton National Park.

Onwards!

<~WRD000.jpg>

...

Andrea Liliana Delgado

Co-Founder | GreenLatinos

Senior Legislative Representative | Earthjustice

202-230-6592

andreadelgado@greenlatinos.org

adelgado@earthjustice.org

To: Tejada, Matthew[Tejada.Matthew@epa.gov]; King, Marva[King.Marva@EPA.GOV]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Minter, Marsha[Minter.Marsha@epa.gov]; Jones, Kim A[Jones.Kima@epa.gov]; Burns, Michael[Burns.Michael@epa.gov]; Lisa Garcia[Ex. 6 - Personal Privacy]; Gogal, Danny[Gogal.Danny@epa.gov]; Sherri P. White[Ex. 6 - Personal Privacy]
Cc: Ferguson, Cynthia (ENRD)[Cynthia.Ferguson@usdoj.gov]
From: Pair, Quentin (ENRD)
Sent: Tue 3/25/2014 6:51:47 PM
Subject: Tellchnology-Not Just For The Priviledged Anymore

Greetings, friends:

Below is an article set to me by one of my colleagues at ENRD... I think there are some interesting possibilities adaptable to the work we do with communities... thought you would also find it interesting

With fond regards,

Quentin C. Pair

Trial Attorney

Environmental Enforcement Section

Environment and Natural Resources Division

U.S. Department of Justice

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Washington, DC 20044-7611

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Fax: 202 616-2427

Overnight deliveries:

601 D Street, NW

Room 6020

Washington, DC 20004

From: McIlwain, David (ENRD)
Sent: Tuesday, March 25, 2014 2:24 PM
To: Pair, Quentin (ENRD); Ferguson, Cynthia (ENRD)
Subject: In today's news

Technology — Not Just For The Privileged Anymore

The digital age has made technology and online access not only more available to those living in poverty, but available as a tool to close the ever-growing justice gap. High tech converging with high need has led to a very successful pro bono project in Houston that, with very little work, can be replicated anywhere, say Ellyn Haikin Josef of Vinson & Elkins LLP and Alissa Rubin Gomez of Houston Volunteer Lawyers.

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Lisa Garcia
Sent: Thur 5/29/2014 3:33:41 PM
Subject: Re: 111D announcement

Yes !

Sent from my iPhone

> On May 29, 2014, at 8:48 AM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:
>
> Lisa,
>
> Would you or one of your people be interested in attending the announcemnt on Monday with the
Administrator?
>
> Blessings
> Mustafa

To: Jalonne White-Newsome[Ex. 6 - Personal Privacy]
Cc: Aaron Mair[Ex. 6 - Personal Privacy]; Albert Huang[ahuang@nrhc.org]; Alexie M. Torres-Fleming[Ex. 6 - Personal Privacy]; Alice Park[Ex. 6 - Personal Privacy]; Angela J. Meszaros[angela@cleanairmatters.net]; adiaz@podersf.org[adiaz@podersf.org]; Bang Nguyen[Ex. 6 - Personal Privacy]; Ex. 6 - Personal Privacy
 billgallegos@cbecal.org[billgallegos@cbecal.org]; bnewell@crpe-ej.org[bnewell@crpe-ej.org]; Burt Lauderdale[Ex. 6 - Personal Privacy]; Carmen Llanes[Ex. 6 - Personal Privacy]; cfarrell@crpe-ej.org[cfarrell@crpe-ej.org]; cecil@weact.org[cecil@weact.org]; Charlotte Keys[Ex. 6 - Personal Privacy]; Cooper[Ex. 6 - Personal Privacy]; daniela.simunovic[Ex. 6 - Personal Privacy]; Darcie Warden[Darcie@alaskawild.org]; Deeohn Ferris[gerinc@mindspring.com]; Diane Takvorian[diane@environmentalhealth.org]; Director Priscilla Murphy[Ex. 6 - Personal Privacy]; Director Teresa Niedda[Ex. 6 - Personal Privacy]; Donele Wilkins[Ex. 6 - Personal Privacy]; Elizabeth Yeampierre[elizabeth@uprose.org]; Erica Holloman[Ex. 6 - Personal Privacy]; Felicia Sanders[Ex. 6 - Personal Privacy]; Fred Brown[fbrown@kingsleyassociation.org]; Jonathan Betz-Zall[Ex. 6 - Personal Privacy]; Jose T. Bravo[jose@just-transition.org]; parras.juan[Ex. 6 - Personal Privacy]; Kari Fulton[Ex. 6 - Personal Privacy]; Kayla Race[kaylar@environmentalhealth.org]; Kim Wasserman[coordinator@lvejo.org]; Leslie Fields[leslie.fields@sierraclub.org]; Madeline Stano[mstano@crpe-ej.org]; Martha Dina Arguello[marguello@psr-la.org]; Ex. 6 - Personal Privacy; Micheal Neumann[Ex. 6 - Personal Privacy]; Michele Roberts[Ex. 6 - Personal Privacy]; miya@apen4ej.org[miya@apen4ej.org]; Monique Harden[mharden@ehumanrights.org]; Nelson Carrasquillo[Ex. 6 - Personal Privacy]; Nicky Sheats[Ex. 6 - Personal Privacy]; ogonnaya newman (we act)[ogonnaya@weact.org]; Pamela Miller[pamela@akaction.org]; Ex. 6 - Personal Privacy; Bullardrd[Bullardrd@tsu.edu]; roger@apen4ej.org[roger@apen4ej.org]; Sarah James[Ex. 6 - Personal Privacy]; Savi Horne[savi@landloss.org]; Shalini Gupta[sgupta@ceed.org]; Sharon Lewis[Ex. 6 - Personal Privacy]; Shina[shina@apen4ej.org]; Sophia Parino[sparino@crpe-ej.org]; Stephanie Costner[Ex. 6 - Personal Privacy]; Stephanie Tyree[Ex. 6 - Personal Privacy]; Sunyoung Yang[sun@busridersunion.org]; Susana Almanza[Ex. 6 - Personal Privacy]; Tammy Bang Luu[tammy@thestrategycenter.org]; Tom Goldtooth[tien@igc.org]; Vernice Miller-Travis[vmillert-travis@skeo.com]; Vi Waghiyi[vi@akaction.org]; Xochitl Marentas[Ex. 6 - Personal Privacy]; Brea Hewitt[Ex. 6 - Personal Privacy]; Matt Marvin[Ex. 6 - Personal Privacy]; Bianca DiGiovanni[Ex. 6 - Personal Privacy]; Amber Robinson[Ex. 6 - Personal Privacy]; wes@catskillmountainkeeper.org[wes@catskillmountainkeeper.org]; Holmes Hummel[HH@holmeshummel.net]; dmvejcoalition@listserv.umd.edu[dmvejcoalition@listserv.umd.edu]; guy@dwej.org[guy@dwej.org]; Kimberly Hill Knott[kimberly@dwej.org]; Jessica Breslin[Ex. 6 - Personal Privacy]; Allen Johnson[Ex. 6 - Personal Privacy]; Gaby Santizo[Ex. 6 - Personal Privacy]; jalonne@weact.org(jalonne@weact.org)[jalonne@weact.org]; Kelly Moltzen[Ex. 6 - Personal Privacy]; Lisa Sharon Harper[Ex. 6 - Personal Privacy]; Liz Schmitt[Ex. 6 - Personal Privacy]; Vanessa Carter[Ex. 6 - Personal Privacy]; Jessica Hodge[jhodge@earthjustice.org]; Emma Cheuse[echeuse@earthjustice.org]; Lisa Hoyos[lisa@climateparents.org]; Janet Redman[janet@ips-dc.org]; Mk Dorsey[mkdorsey@professordorsey.com]; Khalil Shahyd[Ex. 6 - Personal Privacy]; Jacqui Patterson[jpatterson@naacpnet.org]; Danielle Deane[DDeane@rabengroup.com]; King, Marva[King.Marva@EPA.GOV]; Stephanie Maddin[smaddin@earthjustice.org]; Adrianna Quintero[aquintero@nrhc.org]; Aguirre, Amanda[Aguirre.Amanda@epa.gov]; Fernando Cazares[fcazares@nrhc.org]; Joseph Reed[jreed@naacpnet.org]; Liz Judge[ljudge@earthjustice.org]; Mark Magana[Ex. 6 - Personal Privacy]; Mike Blake[mike@greenforall.org]; Enobakhare, Rosemary[Enobakhare.Rosemary@epa.gov]; Stefanie Brown James (Stefanie@VestigeStrategies.com)[Stefanie@vestigestrategies.com]; EPOC-DC[epoc-dc@googlegroups.com]; revfharper@greenfaith.org[revfharper@greenfaith.org]; Ex. 6 - Personal Privacy; discuss@elpnet.org[discuss@elpnet.org]; discrs7@aslo.org[discrs7@aslo.org]; Kelli McCrary[Ex. 6 - Personal Privacy]
From: epoc-dc@googlegroups.com
Sent: Fri 7/11/2014 3:31:41 AM

Subject: [epoc-dc] [Date change for EJ Webinar] Join us Monday, July 21st at 2:30 - 4:00 pm EST/ 1:30 CDT/ 12:30 MDT/ 11:30 PDT
[EJ Webinar_07_21_2014_Clean Power Plan.pdf](#)

Dear Colleagues and Friends:

Please register for: ***What's at stake: Environmental Justice and the EPA's Clean Power Plan on Jul 21, 2014 2:30 PM EDT at:***

<https://attendee.gotowebinar.com/register/4911732106220637953>

On June 2, 2014, the EPA proposed the Clean Power Plan to reduce carbon pollution from existing power plants. The purpose of this webinar is to:

- Provide a general overview of the EPAs Clean Power Plan and 111(d) standard
- Highlight some elements of the rule that might be a concern for low income, communities of color, and others impacted directly by existing power plants
- Increase the level of interest and engagement in the public commenting process that is forthcoming at the federal and state level

Our honored speakers include:

Mr. Ananda Tan, Global Alliance for Incinerator Alternatives

Mr. Brent Newell, Center for Race, Poverty & Environment

Mr. Cecil D. Corbin-Mark, WE ACT for Environmental Justice

Dr. Cecilia Martinez, Center for Earth Energy & Democracy

Rev. Leo Woodbury, Kingdom Living Temple

Ms. Leslie Fields, Sierra Club

Ms. Monique Harden, Advocates for Environmental Human Rights

Dr. Rachel Morello-Frosch, University of California-Berkeley

Moderator: Dr. Jalonnie L. White-Newsome, WE ACT for Environmental Justice

After registering, you will receive a confirmation email containing information about joining the webinar.

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--

Dr. Jalonnie L. White-Newsome
Environmental Justice Federal Policy Analyst
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Facebook: www.weact.org/facebook

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Text **WEACT to 22828** to join our mailing list

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To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Lisa Garcia
Sent: Wed 5/28/2014 8:27:01 PM
Subject: Adrienne Hollis?

Ring a bell?
She applied for a job here

Sent from my iPhone

To: Ali, Mustafa[Ali.Mustafa@epa.gov]
From: Lisa Garcia
Sent: Thur 5/22/2014 5:03:47 PM
Subject: are we on for today?where should we meet at 2pm?

Lisa F. Garcia

Vice President Of Litigation, Healthy Communities

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Twitter@Earthjustice



Because the earth needs a good lawyer

To: Patterson, Jacqueline[jpatterson@naacpnet.org]; Jalonne White-Newsome[jalonne@weact.org]; Nicole Williams Sitaraman[Ex. 6 - Personal Privacy] Irv Sheffey[Ex. 6 - Personal Privacy] [Ex. 6 - Personal Privacy] Carlton Mayers[Ex. 6 - Personal Privacy] [Ex. 6 - Personal Privacy] Potts, LeRoy G[leroy.g.potts@uscis.dhs.gov]; LeRoy Potts[Ex. 6 - Personal Privacy] fbuntman@gwu.edu[fbuntman@gwu.edu]; elise_sandra[Ex. 6 - Personal Privacy] Kari Fulton[Ex. 6 - Personal Privacy] King, Marva[King.Marva@EPA.GOV]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Patrice Simms[PSimms@law.howard.edu]; Neal, Daria (CRT)[Daria.Neal@usdoj.gov]; Quentin Pair (External)[Quentin.Pair@usdoj.gov]; Quentin James[quentin@readyforhillary.com]; Dennis Chestnut[dennis@groundworkdc.org]
From: Leslie Fields
Sent: Thur 3/20/2014 11:31:24 PM
Subject: Come Hell or High Water - D.C. Premiere @ Environmental Film Festival March 30

Hi Everybody

I hope you can make it to the screening of *Come Hell or High Water: The Battle for Turkey Creek* on March 30 at the Environmental Film Festival Sunday, March 30, at 4:30 p.m. at the Carnegie Institution for Science, 1530 P Street NW, Washington, DC 20005) will be followed by a panel discussion with special guests including: Derrick Evans of Turkey Creek; Leslie Fields, National Environmental Justice Director for the Sierra Club; filmmaker Leah Mahan; *Grist* writer Brentin Mock; and Reilly Morse, president of the Mississippi Center for Justice. You can reserve free tickets using this link. More details below.
Thanks, Leslie

<https://www.facebook.com/turkeycreekfilm/events>

[View this email in your browser](#)

Creek
Environmental Film Festival in the Nation's Capital
Reframed

Come Hell or High Water: The Battle for Turkey

America

Carnegie Institution for Science

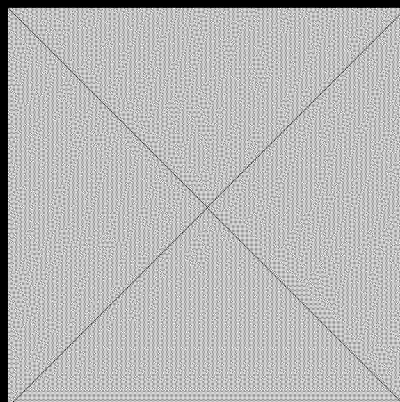
Derrick Evans
Leslie Fields

Mahan Leah
Reilly Morse Brentin Mock

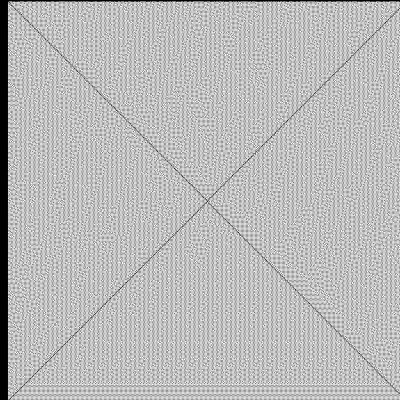
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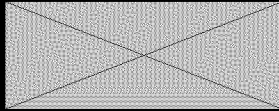


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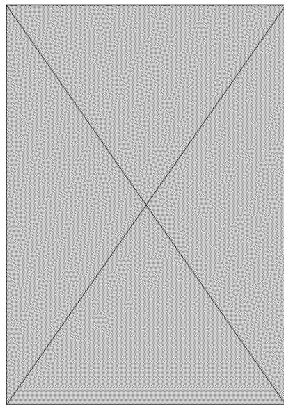
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Leah Mahan

Leah Mahan Productions

(510) 914-3676



--

Leslie G. Fields

Director, Environmental Justice & Community Partnerships Program

Sierra Club

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Washington, DC 20001

202-548-4586

Leslie.Fields@sierraclub.org
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To: leslie.fields[leslie.fields@sierraclub.org]; Vernice Miller-Travis[vmiller-travis@skeo.com];
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Rumley[mrumley@greenlaw.org]; Michele Roberts[Ex. 6 - Personal Privacy] Robin Morris
Collin[Ex. 6 - Personal Privacy]
From: Ali, Mustafa
Sent: Wed 3/19/2014 9:21:53 PM
Subject: EJ in Action Blog: Celebrating Women Making a Visible Difference in Communities

Hi everyone.

I wanted to make sure that our own are uplifted during "Women's History Month" so please read our latest blog and leave a comment. Also please share widely - I want to share with the Agency and others how many incredible women are and have been apart of the Environmental Justice Movement.

I'm having a wall of sheros being developed for the OEJ website so hopefully I can get it through the bureaucracy in the next couple of days. It will house the names, faces and contributions of those who people identify in the blog and others that we know have done great things to move us toward environmental justice.

Blessings
Mustafa

EJ in Action Blog: Celebrating Women Making a Visible Difference in Communities

Check out our latest blog post, Who's Your Environmental Justice Shero?, by Dr. Marva King of the EPA's Office of Environmental Justice. Following the anniversary of the Executive Order on Environmental Justice and in honor of Women's History Month, Dr. King reflects on some of the many women in the Environmental Justice movement that have made an impact on her life. Join us in celebrating by writing about your EJ Shero in the comments section.

Also, check out our 20th anniversary page and video series, which features federal and local government officials, non-profit leaders and students who have shared stories about their lessons learned over time working on environmental and climate justice.

Be sure to add your e-mail address to the subscribe link on the upper-right side of the blog's home page to receive our future posts directly each week. Click the "Like" button to let your friends know about this great resource. Thank you for helping up spread the word!

Link: <http://blog.epa.gov/ej/2014/03/whos-your-ej-shero/>

To: Simms Patrice[PSimms@law.howard.edu]; B Wilson (External)[bwilson@bdlaw.com]; Leslie Fields (External)[leslie.fields@sierraclub.org]; Quentin Pair (External)[quentin.pair@usdoj.gov]; jeffrey.Sands@usdoj.gov[jeffrey.Sands@usdoj.gov]; Evans, Carlos[Evans.Carlos@epa.gov]; [Ex. 6 - Personal Privacy] dneal@lawyerscommittee.org[dneal@lawyerscommittee.org]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Lisa Garcia[Ex. 6 - Personal Privacy] Daphne Rubin-Vega[Ex. 6 - Personal Privacy]
Cc: Grant Trisha[Ex. 6 - Personal Privacy] Joanne Melendez (External)[Ex. 6 - Personal Privacy] Shawn O'Brien[sobrien@hunton.com]; Stephanie Maddin[smaddin@earthjustice.org]; Jones Kimberly[Ex. 6 - Personal Privacy] Richard Carlton[hjexecutivesolicitations@gmail.com]
From: Lee, Charles
Sent: Tue 3/18/2014 3:55:59 PM
Subject: RE: Howard Student EJ - Brunch

Patrice

Great. I can be there at 11:30 am, perhaps a little earlier. No need to change the reservation on my account.

Charles

-----Original Message-----

From: Simms Patrice [mailto:PSimms@law.howard.edu]
Sent: Tuesday, March 18, 2014 11:34 AM
To: B Wilson (External); Leslie Fields (External); Quentin Pair (External); jeffrey.Sands@usdoj.gov; Evans, Carlos; [Ex. 6 - Personal Privacy] dneal@lawyerscommittee.org; Lee, Charles; Ali, Mustafa; Lisa Garcia; Daphne Rubin-Vega
Cc: Grant Trisha; Joanne Melendez (External); Shawn O'Brien; Stephanie Maddin; Jones Kimberly; Richard Carlton
Subject: Re: Howard Student EJ - Brunch
Importance: High

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I look forward to seeing you there.

-Patrice.

(Trisha, Joanne, Stephanie, and Shawn, it would also be wonderful if you could come. Just let me know)

Open City coffee house (2331 Calvert St. NW, <http://www.opencitydc.com>)

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Linkedin<http://www.linkedin.com/pub/patrice-simms/11/816/a9b>

From: Patrice Simms <psimms@law.howard.edu<mailto:psimms@law.howard.edu>>
Date: Wednesday, March 5, 2014 11:57 AM
To: Benjamin Wilson <BWilson@bdlaw.com<mailto:BWilson@bdlaw.com>>, Leslie Fields
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<Quentin.Pair@usdoj.gov<mailto:Quentin.Pair@usdoj.gov>>, Jeff Sands
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Subject: Re: Howard Student EJ - Brunch

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Thanks!! And I look forward to seeing you.

Patrice

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From: Patrice Simms <psimms@law.howard.edu<mailto:psimms@law.howard.edu>>
Date: Wednesday, February 12, 2014 3:25 PM
To: Benjamin Wilson <BWilson@bdlaw.com<mailto:BWilson@bdlaw.com>>, Leslie Fields
<Leslie.Fields@sierraclub.org<mailto:Leslie.Fields@sierraclub.org>>, Quentin Pair
<Quentin.Pair@usdoj.gov<mailto:Quentin.Pair@usdoj.gov>>, Jeff Sands
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<Evans.carlos@Epa.gov<mailto:Evans.carlos@Epa.gov>>, Vernice Miller-Travis
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<Ali.Mustafa@epamail.epa.gov<mailto:Ali.Mustafa@epamail.epa.gov>>, Lisa Garcia
Ex. 6 - Personal Privacy

Subject: Howard Student EJ - Brunch

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From: Simms Patrice
Sent: Tue 3/18/2014 3:33:36 PM
Subject: Re: Howard Student EJ - Brunch

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Date: Wednesday, February 12, 2014 3:25 PM
To: Benjamin Wilson <BWilson@bdlaw.com<<mailto:BWilson@bdlaw.com>>>, Leslie Fields <Leslie.Fields@sierraclub.org<<mailto:Leslie.Fields@sierraclub.org>>>, Quentin Pair <Quentin.Pair@usdoj.gov<<mailto:Quentin.Pair@usdoj.gov>>>, Jeff Sands <jeffrey.Sands@usdoj.gov<<mailto:jeffrey.Sands@usdoj.gov>>>, Evans Carlos <Evans.carlos@Epa.gov<<mailto:Evans.carlos@Epa.gov>>>, Vernice Miller-Travis <[Ex. 6 - Personal Privacy]>, Daria Neal <dneal@lawyerscommittee.org<<mailto:dneal@lawyerscommittee.org>>>, Charles Lee <Lee.Charles@epamail.epa.gov<<mailto:Lee.Charles@epamail.epa.gov>>>, Mustafa Ali <Ali.Mustafa@epamail.epa.gov<<mailto:Ali.Mustafa@epamail.epa.gov>>>, Lisa Garcia <[Ex. 6 - Personal Privacy]>
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Linkedin<<http://www.linkedin.com/pub/patrice-simms/11/816/a9b>>

To: jeffrey.Sands@usdoj.gov[jeffrey.Sands@usdoj.gov]
Cc: Simms Patrice[PSimms@law.howard.edu]; B Wilson (External)[bwilson@bdlaw.com]; Leslie Fields (External)[leslie.fields@sierraclub.org]; Pair, Quentin (ENRD)[Quentin.Pair@usdoj.gov]; Evans, Carlos[Evans.Carlos@epa.gov]; Vernice Miller-Travis [Ex. 6 - Personal Privacy] dneal@lawyerscommittee.org[dneal@lawyerscommittee.org]; Lee, Charles[Lee.Charles@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Lisa Garcia [Ex. 6 - Personal Privacy]
From: Daphne Amalia
Sent: Wed 3/5/2014 5:51:22 PM
Subject: Re: Howard Student EJ - Brunch

Dear Prof. Simms - I am also unavailable on this date. If the date does change, please keep me in the loop.

Thanks,
Daphne

On Wed, Mar 5, 2014 at 12:49 PM, Sands, Jeffrey (ENRD) <Jeffrey.Sands@usdoj.gov> wrote:

Unfortunately, I am unavailable on the 29th. [Ex. 6 - Personal Privacy]

[Ex. 6 - Personal Privacy]

snow is gone by then). If the date for the brunch changes for any reason, please let me know.

-----Original Message-----

From: Simms Patrice [mailto:PSimms@law.howard.edu]
Sent: Wednesday, March 05, 2014 10:57 AM
To: B Wilson (External); Leslie Fields (External); Pair, Quentin (ENRD); Sands, Jeffrey (ENRD); Evans Carlos; Vernice Miller-Travis; Daria Neal; Charles Lee; Mustafa Ali; Lisa Garcia; Daphne Rubin-Vega
Subject: Re: Howard Student EJ - Brunch
Importance: High

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From: Patrice Simms <psimms@law.howard.edu<<mailto:psimms@law.howard.edu>>>
Date: Wednesday, February 12, 2014 3:25 PM
To: Benjamin Wilson <BWilson@bdlaw.com<<mailto:BWilson@bdlaw.com>>>, Leslie Fields <Leslie.Fields@sierraclub.org<<mailto:Leslie.Fields@sierraclub.org>>>, Quentin Pair <Quentin.Pair@usdoj.gov<<mailto:Quentin.Pair@usdoj.gov>>>, Jeff Sands <jeffrey.Sands@usdoj.gov<<mailto:jeffrey.Sands@usdoj.gov>>>, Evans Carlos <Evans.carlos@Epa.gov<<mailto:Evans.carlos@Epa.gov>>>, Vernice Miller-Travis <Vernice.Miller-Travis@epa.gov>>, Daria Neal <dneal@lawyerscommittee.org<<mailto:dneal@lawyerscommittee.org>>>, Charles Lee <Lee.Charles@epamail.epa.gov<<mailto:Lee.Charles@epamail.epa.gov>>>, Mustafa Ali <Ali.Mustafa@epamail.epa.gov<<mailto:Ali.Mustafa@epamail.epa.gov>>>, Lisa Garcia <Lisa.Garcia@epamail.epa.gov>>
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From: Lee, Charles
Sent: Wed 3/5/2014 4:23:18 PM
Subject: Re: Howard Student EJ - Brunch

I should be able to make it. Looking forward to it.

Charles

From: Simms Patrice <PSimms@law.howard.edu>
Sent: Wednesday, March 5, 2014 10:57:21 AM
To: B Wilson (External); Leslie Fields (External); Quentin Pair (External); jeffrey.Sands@usdoj.gov; Evans, Carlos; Vernice Miller-Travis; dneal@lawyerscommittee.org; Lee, Charles; Ali, Mustafa; Lisa Garcia; Daphne Rubin-Vega
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Very best to you all,
Patrice.

Patrice Lumumba Simms<<http://www.law.howard.edu/1204>>
Assistant Professor
Howard University School of Law
406 Houston Hall
2900 Van Ness St. NW
Washington, DC 20008
(202) 806-8027
psimms@law.howard.edu<<mailto:psimms@law.howard.edu>>
Linkedin<<http://www.linkedin.com/pub/patrice-simms/11/816/a9b>>

To: Simms, Patrice[PSimms@law.howard.edu]; B Wilson (External)[bwilson@bdlaw.com]; Leslie Fields (External)[leslie.fields@sierraclub.org]; jeffrey.Sands@usdoj.gov[jeffrey.Sands@usdoj.gov]; Evans, Carlos[Evans.Carlos@epa.gov]; Vernice Miller-Travis[Ex. 6 - Personal Privacy] dneal@lawyerscommittee.org[dneal@lawyerscommittee.org]; Lee, Charles[Lee.Charles@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Lisa Garcia[Ex. 6 - Personal Privacy] Daphne Rubin-Vega[Ex. 6 - Personal Privacy]
From: Pair, Quentin (ENRD)
Sent: Wed 3/5/2014 4:17:09 PM
Subject: RE: Howard Student EJ - Brunch

I should be flexible between 10 am and 1 pm on Saturday, March 29... see you at Open City.

Quentin c. Pair

Trial Attorney

Environmental Enforcement Section

Environment and Natural Resources Division

U.S. Department of Justice

P.O. Box 7611, Ben Franklin Station

Washington, DC 20044-7611

Phone: 202 514-1999

Fax: 202 616-2427

Overnight deliveries:

601 D Street, NW

Room 6020

Washington, DC 20004

From: Simms, Patrice [mailto:PSimms@law.howard.edu]
Sent: Wednesday, March 05, 2014 10:57 AM
To: B Wilson (External); Leslie Fields (External); Pair, Quentin (ENRD); Sands, Jeffrey (ENRD); Evans Carlos; Vernice Miller-Travis; Daria Neal; Charles Lee; Mustafa Ali; Lisa Garcia; Daphne Rubin-Vega
Subject: Re: Howard Student EJ - Brunch
Importance: High

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Washington, DC 20008

(202) 806-8027

psimms@law.howard.edu

[Linkedin](#)

From: Patrice Simms <psimms@law.howard.edu>

Date: Wednesday, February 12, 2014 3:25 PM

To: Benjamin Wilson <BWilson@bdlaw.com>, Leslie Fields <Leslie.Fields@sierraclub.org>, Quentin Pair <Quentin.Pair@usdoj.gov>, Jeff Sands <jeffrey.Sands@usdoj.gov>, Evans Carlos <Evans.carlos@Epa.gov>, Vernice Miller-Travis [Ex. 6 - Personal Privacy] Daria Neal <dneal@lawyerscommittee.org>, Charles Lee <Lee.Charles@epamail.epa.gov>, Mustafa Ali <Ali.Mustafa@epamail.epa.gov>, Lisa Garcia [Ex. 6 - Personal Privacy]

Subject: Howard Student EJ - Brunch

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To: Simms, Patrice[PSimms@law.howard.edu]; Leslie Fields (External)[leslie.fields@sierraclub.org]; Quentin Pair (External)[quentin.pair@usdoj.gov]; jeffrey.Sands@usdoj.gov[jeffrey.Sands@usdoj.gov]; Evans, Carlos[Evans.Carlos@epa.gov]; Vernice Miller-Travis[Ex. 6 - Personal Privacy dneal@lawyerscommittee.org[dneal@lawyerscommittee.org]; Lee, Charles[Lee.Charles@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Lisa Garcia[Ex. 6 - Personal Privacy Daphne Rubin-Vega[Ex. 6 - Personal Privacy
From: Benjamin F. Wilson
Sent: Wed 3/5/2014 4:14:25 PM
Subject: RE: Howard Student EJ - Brunch

Patrice;

Unfortunately, I am not available, having committed to speak at a conference that weekend.

Benjamin F. Wilson
Managing Principal

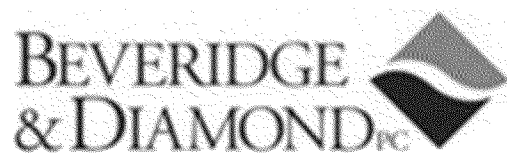
Beveridge & Diamond, P.C.

1350 I Street, N.W., Suite 700

Washington, D.C. 20005-3311

(202) 789-6023 Direct

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bwilson@bdlaw.com



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Please consider the environment before printing this e-mail.

From: Simms, Patrice [mailto:PSimms@law.howard.edu]

Sent: Wednesday, March 05, 2014 10:57 AM

To: Benjamin F. Wilson; Leslie Fields (External); Quentin Pair (External); Sands, Jeffrey (ENRD); Evans Carlos; Vernice Miller-Travis; Daria Neal; Charles Lee; Mustafa Ali; Lisa Garcia; Daphne Rubin-Vega

Subject: Re: Howard Student EJ - Brunch

Importance: High

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406 Houston Hall

ED 001369 00004302-00003

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From: Simms Patrice
Sent: Wed 3/5/2014 3:57:21 PM
Subject: Re: Howard Student EJ - Brunch

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Date: Wednesday, February 12, 2014 3:25 PM
To: Benjamin Wilson <BWilson@bdlaw.com<<mailto:BWilson@bdlaw.com>>>, Leslie Fields <Leslie.Fields@sierraclub.org<<mailto:Leslie.Fields@sierraclub.org>>>, Quentin Pair <Quentin.Pair@usdoj.gov<<mailto:Quentin.Pair@usdoj.gov>>>, Jeff Sands <jeffrey.Sands@usdoj.gov<<mailto:jeffrey.Sands@usdoj.gov>>>, Evans Carlos <Evans.carlos@Epa.gov<<mailto:Evans.carlos@Epa.gov>>>, Vernice Miller-Travis [Ex. 6 - Personal Privacy] Daria Neal <dneal@lawyerscommittee.org<<mailto:dneal@lawyerscommittee.org>>>, Charles Lee <Lee.Charles@epamail.epa.gov<<mailto:Lee.Charles@epamail.epa.gov>>>, Mustafa Ali <Ali.Mustafa@epamail.epa.gov<<mailto:Ali.Mustafa@epamail.epa.gov>>>, Lisa Garcia [Ex. 6 - Personal Privacy]
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[Linkedin<http://www.linkedin.com/pub/patrice-simms/11/816/a9b>](http://www.linkedin.com/pub/patrice-simms/11/816/a9b)

To: gerinc@mindspring.com[gerinc@mindspring.com]; King, Marva[King.Marva@EPA.GOV]; Tejada, Matthew[Tejada.Matthew@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Lewis, Sheila[Lewis.Sheila@epa.gov]
Cc: vmiller-travis@skeo.com[vmiller-travis@skeo.com]; 'Leslie.Fields@sierraclub.org', (Leslie.Fields@sierraclub.org)[leslie.fields@sierraclub.org]; Vernice Miller-Travis[Ex. 6 - Personal Privacy]Deeohn Ferris[deeohn@sustainablecommunitydevelopmentgroup.org]
From: Garcia, Lisa
Sent: Wed 2/26/2014 9:38:31 PM
Subject: RE: Final Agenda - "Run of Show" for the 20th Anniversary Celebration on February 26th

Thank you Deeohn and everyone else who made this such a special day and event!!

From: gerinc@mindspring.com [mailto:gerinc@mindspring.com]
Sent: Wednesday, February 26, 2014 3:41 PM
To: King, Marva; Tejada, Matthew; Garcia, Lisa; Ali, Mustafa; Lewis, Sheila
Cc: vmiller-travis@skeo.com; 'Leslie.Fields@sierraclub.org', (Leslie.Fields@sierraclub.org); Vernice Miller-Travis; deeohn ferris; Deeohn Ferris
Subject: RE: Final Agenda - "Run of Show" for the 20th Anniversary Celebration on February 26th

Sent from webmail.

Congratulations to OEJ, Mustafa and your crack assistants (yeah Marva) + Sheila!

I really enjoyed the turnout today, seeing old friends and meeting new ones. Great ceremony. Job well done.

Deeohn Ferris, SCDG

-----Original Message-----

From: "King, Marva"
Sent: Feb 26, 2014 7:58 AM
To: Vernice Miller-Travis , "Ali, Mustafa" , "Lewis, Sheila"
Cc: "'Leslie.Fields@sierraclub.org', (Leslie.Fields@sierraclub.org)" , Vernice Miller-Travis , deeohn ferris , Deeohn Ferris
Subject: RE: Final Agenda - "Run of Show" for the 20th Anniversary Celebration on February 26th

Vernice,

Text Sheila. I'm not sure what Mustafa and I will be up to when you get there.

I'll let Sheila know you'll be texting her.

Be safe,

Marva

Dr. Marva King
Marva E. King, Ph.D.
CARE Co-Chair
currently on detail to the Office of EJ

1200 Pennsylvania Ave., NW (MC 2201)
WJC South Room 2224 A
Washington, DC 20460
Phone: 202-564-2599

"What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the life we lead." — Nelson Mandela

From: Vernice Miller-Travis [<mailto:vmiller-travis@skeo.com>]
Sent: Wednesday, February 26, 2014 7:50 AM
To: Ali, Mustafa; King, Marva
Cc: 'Leslie.Fields@sierraclub.org', (Leslie.Fields@sierraclub.org); Vernice Miller-Travis; deechohn ferris; Deeohn Ferris
Subject: Re: Final Agenda - "Run of Show" for the 20th Anniversary Celebration on February 26th

So far so good, sitting in my seat on this flight which looks like we will have an on time departure out of Raleigh.

Charles will meet me at BWI at 9:15 am and we'll proceed directly to EPA.

I'm thinking it will be 10:00 am or so when I get to EPA. Mustafa Who should I call or text to let them know I'm downstairs?

Looking forward to seeing you all this morning!

Vernice

Vernice Miller-Travis
Senior Associate
Community Planning & Revitalization Group
Skeo Solutions
On Feb 25, 2014 8:36 PM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:
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* Gwen Keyes Fleming (Chief of Staff) will introduce Deeohn

* Deeohn after your presentation you will be introducing Leslie

* Leslie after your presentation you will introduce Vernice

* Vernice you will say a few introductory words to set the stage for the panel who will be focused on the next 20 years of EJ - (Future focused)

* Once the panel is done and unfortunately we won't have time for questions - Vernice will introduce me and I will close it out.

This is a celebration so we will try our best to stay focused on where we have come from and where we still need to go with an eye on the positive :)

Finally, we have super tight time frames so we have to adhere to our allotted times. I know that is not always easy to do so I will assist everyone by letting you know when you have 1 minute left.

If you have any questions feel free to give me a buzz 202-306-8285 or email me.

Blessings
Mustafa

</Ali.Mustafa@epa.gov

To: King, Marva[King.Marva@EPA.GOV]; Tejada, Matthew[Tejada.Matthew@epa.gov]; Garcia, Lisa[Garcia.Lisa@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Lewis, Sheila[Lewis.Sheila@epa.gov]
Cc: vmiller-travis@skeo.com[vmiller-travis@skeo.com]; 'Leslie.Fields@sierraclub.org', (Leslie.Fields@sierraclub.org)[leslie.fields@sierraclub.org]; Vernice Miller-Travis[Ex. 6 - Personal Privacy]; deechohn ferris[gerinc@mindspring.com]; Deeohn Ferris[deechohn@sustainablecommunitydevelopmentgroup.org]
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To: [Ex. 6 - Personal Privacy]
cecil@weact.org[cecil@weact.org]; Billups, Angie[Billups.Angie@epa.gov];
dgrabowski@symbioscity.com[dgrabowski@symbioscity.com];
butch.daniels[Ex. 6 - Personal Privacy]
diana@adspecialtyervices.com[diana@adspecialtyervices.com]; Bryant, Kyle[Bryant.Kyle@epa.gov];
deborahbates[Ex. 6 - Personal Privacy]
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cjconsulting54@live.com[cjconsulting54@live.com];
CRenfro@caseygrants.org[CRenfro@caseygrants.org]; ccooper@dillard.edu[ccooper@dillard.edu];
[Ex. 6 - Personal Privacy] blakee@muscd.edu[blakee@muscd.edu];

Ex. 6 - Personal Privacy

[Ex. 6 - Personal Privacy]
ddodd@stepupsavannah.org[ddodd@stepupsavannah.org];
Charles.gilyard@coldwellbanker.com[Charles.gilyard@coldwellbanker.com];
abrahaml@muscd.edu[abrahaml@muscd.edu];
donaldsonmaxzine[Ex. 6 - Personal Privacy] Carey, Pat[Carey.Pat@epa.gov];
[Ex. 6 - Personal Privacy] aeh0@cdc.gov[aeh0@cdc.gov];
bstubbs@savannahtech.edu[bstubbs@savannahtech.edu];
candis.lott@saintleo.edu[candis.lott@saintleo.edu]; cellis@savannahtech.edu[cellis@savannahtech.edu];
dsimmons@sbacsav.com[dsimmons@sbacsav.com];
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[Ex. 6 - Personal Privacy] alc-speakerresponses@cbcfinc.org[alc-speakerresponses@cbcfinc.org];
cuttervernell[Ex. 6 - Personal Privacy]
[Ex. 6 - Personal Privacy]
anana.parris[Ex. 6 - Personal Privacy] connections@twitter.com[connections@twitter.com];
ashaheywardjames[Ex. 6 - Personal Privacy] Benjamin,
Kent[Benjamin.Kent@epa.gov]; [Ex. 6 - Personal Privacy]
consulardakar@state.gov[consulardakar@state.gov]; dakarvisa@state.gov[dakarvisa@state.gov];
belvasquez[belvasquez@airalliancehouston.org];
burbaszewski@lungchicago.org[burbaszewski@lungchicago.org]; ctruax@usc.edu[ctruax@usc.edu];
Adrian[Adrian@airalliancehouston.org]; cmellon@ironboundcc.org[cmellon@ironboundcc.org];
amartinez@earthjustice.org[amartinez@earthjustice.org];
carolinam@environmentalhealth.org[carolinam@environmentalhealth.org];
alogan@eycej.org[alogan@eycej.org]; ahricko@usc.edu[ahricko@usc.edu];
colmherrera[Ex. 6 - Personal Privacy]
agoldsmith@cleanwater.org[agoldsmith@cleanwater.org]; cgarzon@pacinst.org[cgarzon@pacinst.org];
ddfukuzawa@kresge.org[ddfukuzawa@kresge.org];
abaptista@ironboundcc.org[abaptista@ironboundcc.org];
azibuike@rampasthma.org[azibuike@rampasthma.org];
alexus.best@yahoo.com[Ex. 6 - Personal Privacy]
cgreen@youthfutures.com[cgreen@youthfutures.com]; anasa@eloveate.net[anasa@eloveate.net];
[Ex. 6 - Personal Privacy]
[Ex. 6 - Personal Privacy] Ali, Mustafa[Ali.Mustafa@epa.gov];
ben.watson@house.ga.gov[ben.watson@house.ga.gov]; [Ex. 6 - Personal Privacy]
casey.cagle@ltgov.da.gov[casey.cagle@ltgov.da.gov]; bsa099@bsamail.org[bsa099@bsamail.org];
amanda@georgiawand.org[amanda@georgiawand.org];
[Ex. 6 - Personal Privacy]
/catrice@cpahelpme.com[catrice@cpahelpme.com];
ambern@speedisign.com[ambern@speedisign.com];
bjboseman@theimanigroup.org[bjboseman@theimanigroup.org];
clkuriatnyk@thr.state.ga.us[clkuriatnyk@thr.state.ga.us];
cmarbury@Tnstate.edu[cmarbury@Tnstate.edu]; bobbie@wand.org[bobbie@wand.org];
[Ex. 6 - Personal Privacy]
asilverman@stepupsavannah.org[asilverman@stepupsavannah.org]; blh4@cdc.gov[blh4@cdc.gov];

Peurifoy, Cynthia[Peurifoy.Cynthia@epa.gov];
ssupresident@savannahstate.edu[ssupresident@savannahstate.edu];
Ex. 6 - Personal Privacy debra.hasan Ex. 6 - Personal Privacy
akashik.truth Ex. 6 - Personal Privacy
CMoon@Savannahga.Gov[CMoon@Savannahga.Gov]; huttond@thempc.org[huttond@thempc.org];
constanceadavis Ex. 6 - Personal Privacy
deborahbates Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy
From: Ex. 6 - Personal Privacy
Sent: Tue 7/8/2014 5:38:08 PM
Subject: [SPAM] BYLDI Auction

Blessings,
The Black Youth Leadership Development Institute has launched it's online auction.
Please visit our site at www.biddingowl.com/blackyouthleadership and participate in the
auction by making a purchase or a donation. Your contribution is greatly appreciated.

Instructions: Click on the link in your email and register as a bidder. Once you're
registered you may began shopping. For more information please give me a call at
912.233.0907 or email me at Ex. 6 - Personal Privacy Have a blessed day and enjoy!!!

Harambee House, Inc.
Citizens For Environmental Justice, Inc.
"Practitioners of Excellence"
1115 Habersham Street
Savannah, GA 31410
912-233-0907 Office
912-944-6122 Fax
Email Ex. 6 - Personal Privacy
Website: www.theharambeehouse.com

To: Lisa Garcia[lgarcia@earthjustice.org]
Cc: rgarcia@cityprojectca.org[rgarcia@cityprojectca.org];
parras; **Ex. 6 - Personal Privacy**
paulap@liderescampesinas.org[paulap@liderescampesinas.org]; Ali, Mustafa[Ali.Mustafa@epa.gov];
Mark Magana[markmagana@greenlatinos.org];
suguet@liderescampesinas.org[suguet@liderescampesinas.org]
From: Andrea Delgado
Sent: Mon 5/23/2016 7:44:00 PM
Subject: Re: Panel: Creating Jemez Principled Coalitions

Hola a todos, Lisa, si, tenemos copias de los principios Jemez. We have printed copies of the Jemez principles for all attendees.

On Mon, May 23, 2016 at 3:39 PM, Lisa Garcia <lgarcia@earthjustice.org> wrote:

Will we have paper copies of the Jemez principles for the room? Or have them on a screen so people can see them?

Vamos a tener copias en papel para los registrantes – para que lo puedan leer?

From: Andrea Delgado [mailto:andreadelgado@greenlatinos.org]
Sent: Sunday, May 22, 2016 9:19 PM
To: Robert Garcia; **Ex. 6 - Personal Privacy** paulap@liderescampesinas.org; Lisa Garcia;
ali.mustafa@epa.gov; Mark Magana; suguet@liderescampesinas.org
Subject: Panel: Creating Jemez Principled Coalitions

Dear Robert, Paula, Juan, Lisa and Mustafa, (**Paula- este correo es para conectarte a los panelistas, yo te mando la traducción de este correo en español).

First of all, thank you all SO much for lending your time and expertise to the May 26th, 9:00 am panel titled,
"Creating Jemez Principled Coalitions - Working Together In Solidarity and Mutuality by Building Just Relationships Among Ourselves "

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To kick off the conversation, I want to make sure you have a sense of who you will be sharing the panel with and connect you so you can be in touch prior to your presentations.

As you know, whether it's at the community or national level (and everywhere in between), GreenLatinos work in every sector of environmental, natural resources, and conservation policy and advocacy. Often historical differences and disputes prevent us from working together. Given the magnitude of the challenges and opportunities our communities face, and in order to succeed, our hope is to have GreenLatinos working in solidarity and mutuality, at all levels, and in just partnerships to succeed. Together, we are exponentially stronger when we reach across sectors to achieve our common goals. This session is intended to have a frank and respectful conversation about the past with a focus on the future and how we move forward together with the goal of preventing the repetition of historical mistakes.

Thursday, May 26:

9:00am – 10:30pm Panel: Creating Jemez Principled Coalitions - Working Together In Solidarity and Mutuality by Building Just Relationships Among Ourselves (Explorers Room)

Moderator: Mark Magaña, GreenLatinos

Panelists: **10-15 minute presentations, 30 mins of Q & A**

- Robert Garcia, Founding Director and Counsel, The City Project
- Juan Parras, Director, Texas Environmental Justice Advocacy Series
- Paula Placencia, Labor Conditions Coordinator, Lideres Campesinas (with interpreter: Andrea Delgado)
- Lisa Garcia, Vice President of Litigation, Earthjustice
- Mustafa Ali, Senior Advisor to the Administrator of the U.S. Environmental Protection Agency

Please let me know if you have any questions. Looking forward to seeing you all at the Grand Teton National Park.

Onwards!

--

Andrea Liliana Delgado

Co-Founder | GreenLatinos

Senior Legislative Representative | Earthjustice

202-230-6592

andreadelgado@greenlatinos.org

adelgado@earthjustice.org

--

Andrea L. Delgado

Board Treasurer

GreenLatinos

202-797-5240

To: 'Andrea Delgado'[andreadelgado@greenlatinos.org];
rgarcia@cityprojectca.org[rgarcia@cityprojectca.org]; [Ex. 6 - Personal Privacy]
paulap@liderescampesinas.org[paulap@liderescampesinas.org]; Ali, Mustafa[Ali.Mustafa@epa.gov];
Mark Magana[markmagana@greenlatinos.org];
suguet@liderescampesinas.org[suguet@liderescampesinas.org]
From: Lisa Garcia
Sent: Mon 5/23/2016 7:39:21 PM
Subject: RE: Panel: Creating Jemez Principled Coalitions

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Onwards!

Andrea Liliana Delgado

Co-Founder | GreenLatinos

Senior Legislative Representative | Earthjustice

202-230-6592

andreadelgado@greenlatinos.org

adelgado@earthjustice.org

To: Hilton Kelley[Ex. 6 - Personal Privacy]
Cc: CC-Workgroups[cc-workgroups@bigskynet.org]; Denny Larson[Ex. 6 - Personal Privacy]
Jessica Hodge[jhodge@earthjustice.org]; Emma Cheuse[echeuse@earthjustice.org]; Eric
Schaeffer[eschaeffer@environmentalintegrity.org]; M. Smith[Ex. 6 - Personal Privacy] Ali,
Mustafa[Ali.Mustafa@epa.gov]; Anderson, Israel[Anderson.Israel@epa.gov]; Eddie
Brown[Ex. 6 - Personal Privacy] Dr. Robert Bullard[Ex. 6 - Personal Privacy] Judy
Robinson[jrobinson@comingcleaninc.org]; Prochaska, John[joprocha@utmb.edu];
josulliv@utmb.edu[josulliv@utmb.edu]; Sharon A.Petronella[spetrone@utmb.edu];
jbb@blackburncarter.com[jbb@blackburncarter.com]; Jim Potter[james.m.potter@hud.gov]; Haragan,
Kelly L[kharagan@law.utexas.edu]; Lani[lani@goldmanprize.org]; Ruth Breech[Ex. 6 - Personal Privacy]
From: Cecil D. Corbin-Mark
Sent: Mon 5/23/2016 4:39:30 PM
Subject: Re: [CC] Hilton Kelley / CIDA Inc. new website check it out.

Hilton:
thanks. Congrats on the new website. We missed you at the EJ Leadership Forum meeting in SC.
Hope to see you soon.

Cecil

On Tue, May 10, 2016 at 2:24 PM, Hilton Kelley <Ex. 6 - Personal Privacy> wrote:

Hello All

I am proud to introduce everyone to our new website which will be updated regularly I hope
you all find the CIDA Inc. website useful as we grow and develop it. please check it out at
www.cidainc.org

Peace and good health to all

Hilton Kelley

Executive Dir / Founder

Community In-power and Development Association Inc,

NPA Regional Health Equity Council: member R-6

"National Partnership for Action (NPA) to end health disparities member

"National Environmental Justice Advisory Council member formal 2009-2011

"Goldman Environmental Prize recipient" 2011 North America

"Citizen's Pipeline Advisory Committee" member / Port Arthur Texas

[409-498-1088](tel:409-498-1088)

To post a message to the list, send your message to: <mailto:CC-Workgroups@bigskynet.org>

To unsubscribe, receive the digest version of the listserve, or for any other administrative questions, send a message to Jennyfer Lopez Aguilar: <mailto:jlopez@comingcleaninc.org>

All information shared on this list must be kept confidential unless you receive expressed permission from the author to share it with others.

CC-workgroups mailing list

CC-workgroups@bigskynet.org

http://bigskynet.org/mailman/listinfo/cc-workgroups_bigskynet.org

--

Cecil D. Corbin-Mark
Deputy Director/Director of Policy Initiatives
WE ACT for Environmental Justice

New York City Office:
1854 Amsterdam Ave, Second Floor
New York, NY 10031
Tel: 212-961-1000 ext. 303

Washington, D.C. Office:
50 F Street, NW, Seventh Floor
Washington, DC 20001
Tel: (202) - 495 - 3036

Website: www.weact.org

Facebook: www.weact.org/facebook

Twitter: www.weact.org/twitter

To: rgarcia@cityprojectca.org[rgarcia@cityprojectca.org];

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paulap@liderescampesinas.org[paulap@liderescampesinas.org];

LGarcia@earthjustice.org[LGarcia@earthjustice.org]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Mark

Magana[markmagana@greenlatinos.org];

suguet@liderescampesinas.org[suguet@liderescampesinas.org]

From: Andrea Delgado

Sent: Mon 5/23/2016 1:18:42 AM

Subject: Panel: Creating Jemez Principled Coalitions

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To: A Cutter[Ex. 6 - Personal Privacy] Anana Parris[Ex. 6 - Personal Privacy] Evans Afriyie-Gyawu[evansafriyiegyawu@georgiasouthern.edu]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Maxine Bryant[Ex. 6 - Personal Privacy] Bullardrd[Bullardrd@tsu.edu]; Scott Boylston[Ex. 6 - Personal Privacy] Sharon (NIH/NIEHS) [E] Beard[beard1@niehs.nih.gov]; [Ex. 6 - Personal Privacy] Benjamin, Kent[Benjamin.Kent@epa.gov]; Bryant, Kyle[Bryant.Kyle@epa.gov]; Carey, Pat[Carey.Pat@epa.gov]; CRenfro@caseygrants.org[CRenfro@caseygrants.org]; cjconsulting54@live.com[cjconsulting54@live.com]; Forrest Staley[f1staley@dhr.state.ga.us]; Thomas Gross[thomasfgross@cs.com]; Gwendylon Smith[gpsmith1@dhr.state.ga.us]; Benita (CDC/OD/OMHHE) Harris[blh4@cdc.gov]; Nikki Haborak[Nikki.Haborak@dnr.state.ga.us]; Paul Haible[paul@peacefund.org];

[Ex. 6 - Personal Privacy] King,
Marva[King.Marva@EPA.GOV]; [Ex. 6 - Personal Privacy] Lisa Garcia[lgarcia@earthjustice.org]; Lynn Pinder[lpinder@thetakeactionnetwork.com]; lester.jackson@senate.ga.gov[lester.jackson@senate.ga.gov]; lillian_baptiste[Ex. 6 - Personal Privacy] Roy Morgan[Ex. 6 - Personal Privacy] King, Marva[King.Marva@EPA.GOV]; Maxine Bryant[Ex. 6 - Personal Privacy] michaelporter[Ex. 6 - Personal Privacy] Nathan Spivey[Ex. 6 - Personal Privacy] Nikki Haborak[Nikki.Haborak@dnr.state.ga.us]; news@savannahherald.net[news@savannahherald.net]; onetimepestcontrol[Ex. 6 - Personal Privacy] Paul Haible[paul@peacefund.org]; Regina Peacock[reginap@sdra.net]; Bullardrd[Bullardrd@tsu.edu];

[Ex. 6 - Personal Privacy] [Ex. 6 - Personal Privacy]
From: [Ex. 6 - Personal Privacy]
Sent: Fri 7/4/2014 11:20:28 PM
Subject: Fw: Black Youth Leadership Development Institute
[Fundraising Letter.pdf](#)
[BYLDI Flyer 2014.pdf](#)
[What Is BYLDI.docx](#)

Harambee House, Inc.
Citizens For Environmental Justice, Inc.
"Practitioners of Excellence"
1115 Habersham Street
Savannah, GA 31410
912-233-0907 Office
912-944-6122 Fax
Email: [Ex. 6 - Personal Privacy]
Website: www.thenarambeehouse.com

On Thursday, June 12, 2014 1:37 PM, Samantha Parker [Ex. 6 - Personal Privacy] wrote:

You're invited to the...

25th Annual BLACK YOUTH LEADERSHIP DEVELOPMENT INSTITUTE



August 2nd-7th, 2014

Epworth by the Sea
100 Arthur J. Moore Drive
St. Simon's Island, GA 31522



Activities include:

- ❖ ***Leadership Development***
- ❖ ***Environmental Justice***
- ❖ ***Decision-Making Skills***
- ❖ ***Etiquette Training***
- ❖ ***College Preparation***



- ❖ ***Project Men TM***
- ❖ ***Health & Wellness***
- ❖ ***Arts & Crafts***
- ❖ ***Basketball Clinic***
- ❖ ***African Dance***



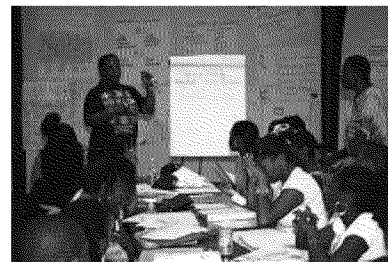
Ages: 13-21
Cost: \$200.00 per student
(Food and lodging included)

For more information, please contact:
Ife' Asha Heyward- James (Coordinator)
Email: heywardj@usc.edu

Rev. Brendolyn J. Boseman (SC Coordinator)
Phone: (803) 645- 3296
Email: bjboseman@theimanigroup.org

Abdul Dollar (Adult Coordinator)
Phone: (404) 617. 3021
Email: radollar2000@yahoo.com

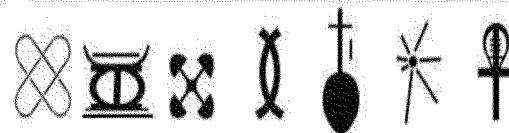
Samantha Parker (Youth Coordinator)
Phone: (912) 844.0813
Email: samanthaparker516@gmail.com



Harambee House, INC.

1115 Habersham Street
Savannah, GA 31401
United States

Phone: 912.233.0907
Fax: 912.944.6122
Email: cfej@bellsouth.net



Black Youth Leadership Development Institute

Dr. Mildred McClain
1115 Habersham ST
Savannah, GA 31401
June 12, 2014

RE: Black Youth Leadership Development Institute

Dear Friend and Supporter of Young People,

The Harambee House will conduct its 25th Annual Black Youth Leadership Development Institute August 2-7, 2014 in St. Simon's Island, GA.

Our funding for the Institute was not apparently our traditional funders, therefore we have launched a major fundraising campaign asking individuals and organizations to sponsor a youth or make a general donation to support this critical Institute. Each participant sponsored will carry that sponsor's name as a Fellow.

We Need Your Help to pay for lodging, food, transportation - we want to provide as many scholarships as we can to insure that differently advantaged youth can participate without difficulty. Send us your tax deductible contribution right away.

If you cannot make a financial donation we will accept paper, notebooks, pens, pencils, flip charts, construction paper, markers, scotch tape, scissors, index cards, t-shirts, fabric, beads, and books. Enclosed are our flier and a brief description of the Institute.

Sincerely,

Dr. Mildred McClain
Executive Director

The Black Youth Leadership Development Institute Is...

A group of young black people, teachers, community educators, parents, various professionals and regular citizens committed to redirecting the talent and energy of black youth into positive growth and development.

The purpose of the Institute is to train, mentor and cultivate young Black leaders committed to social change in all areas of life. Our work focuses on creating change and development models for transforming African American youth- replicable models for community centers, groups, schools and faith-based organizations. Each program, activity and resource is designed to foster within Black youth a world view that links their reality of poverty, illiteracy, involvement in drugs use and trafficking and violence to the lack of access to the nation's resources and positive channels.

The Black Youth Leadership Development Institute's mission is to reconnect African American youth to their legacy as change agents who are able to facilitate their own transformation, and that of their communities and nation. Our primary objective is to implement an effective training program that builds capacity and relevant skills, and innovative and culturally competent models to develop confident, capable and civic minded youth leaders for the future. Competent leadership that includes a proclivity towards economic and political empowerment, peace with justice, and new domestic and foreign policies is critical and central to social change. We see this as an investment in youth, and understand that this work is long-term and from experience often arduous, but through a unified effort, we can be successful.

Goals

- To train young people for the struggle for greater environmental, economic and social justice and equality.
- To inspire Southern Black Youth with a new sense of dignity and self-worth.
- To provide trained youth to work for the protection of the environment and to address environmental problems faced at the local and global levels.
- To put Black youth to work through training and entrepreneurial endeavors.

Objectives

- To teach skills associated with developing safe, clean, heating and sustainable communities
- To develop a curriculum to enhance the self-image of African American children
- To use culture and history to de-program negative images
- To re-teach the concept and value of self-help

Young people who have graduated from the Institute are at the helm of shaping the work of The Institute and all its activities. Our mission has evolved through the toil of the youth who are committed to improving the lives of their people. Over 1000 young people have had a hand in the development of The Institute and continue to serve in ways that promotes preservation and legacy building. Harambee – Lets Pull Together to continuously “Raise Up” new leaders dedicated to building a better world.

To: [Ex. 6 - Personal Privacy]
jalonne@weact.org[jalonne@weact.org]; Jacqueline Patterson[jpatterson@naacpnet.org]; Leslie Fields[leslie.fields@sierraclub.org]; [Ex. 6 - Personal Privacy] Laureen Boles[Ex. 6 - Personal Privacy] Vanessa Carter[Ex. 6 - Personal Privacy] Ali, Mustafa[Ali.Mustafa@epa.gov]; Ananda@no-burn.org[Ananda@no-burn.org]
Cc: cecil@weact.org[cecil@weact.org]; peggy@weact.org[peggy@weact.org]
From: Brent Newell
Sent: Wed 7/2/2014 12:42:15 PM
Subject: Re: Draft webinar talking points & prep meeting for EJ Clean Power Rule Webinar

A call on July 10 only works for me, and I have a half hour available at that time.

I think my section should be renamed "Civil Rights Issues"

Thanks!

Sent from my HTC phone.

----- Reply message -----

From: "Manuel Pastor" [Ex. 6 - Personal Privacy]
To: "Jalonne White-Newsome" <jalonne@weact.org>, "Brent Newell" <bnewell@crpe-ej.org>, "Jacqui Patterson" <jpatterson@naacpnet.org>, "Leslie Fields" <leslie.fields@sierraclub.org>, "Nicky Sheats" [Ex. 6 - Personal Privacy] "Laureen Boles" [Ex. 6 - Personal Privacy] "Vanessa Carter" [Ex. 6 - Personal Privacy] "ali.mustafa@epa.gov" <ali.mustafa@epa.gov>, "Ananda Tan" <ananda@no-burn.org>
Cc: "Cecil D. Corbin-Mark" <cecil@weact.org>, "Peggy Shepard" <PEGGY@weact.org>
Subject: Draft webinar talking points & prep meeting for EJ Clean Power Rule Webinar
Date: Tue, Jul 1, 2014 6:19 PM

Hi,

I have in my calendar now the webinar; I'm trying to see if Rachel Morello-Frosch will do instead as she is more knowledgeable about this part of our work (actually, about most of our work) but she's on vacation now.

Jalonne, you may need to brief Vanessa and she can brief me; she's out this week but back next.

More soon,

Manuel.

Manuel Pastor

Professor, Sociology / American Studies & Ethnicity

Director, Program for Environmental and Regional Equity <http://dornsife.usc.edu/pere>

Director, Center for the Study of Immigrant Integration <http://csii.usc.edu>

Mail:

USC PERE
950 W. Jefferson Blvd, JEF 102

Los Angeles, CA 90089-1291

Phone: (213) 740-5604 -- *Fax:* (213) 740-5680

<http://dornsife.usc.edu/mpastor>

From [REDACTED] **Ex. 6 - Personal Privacy** **on Behalf Of** Jalonne White-Newsome

Sent: Tuesday, July 01, 2014 8:07 AM

To: Brent Newell; Jacqui Patterson; Leslie Fields; Nicky Sheats; Laureen Boles; Vanessa Carter; Manuel Pastor; ali.mustafa@epa.gov; Ananda Tan

Cc: Cecil D. Corbin-Mark; Peggy Shepard

Subject: Draft webinar talking points & prep meeting for EJ Clean Power Rule Webinar

Dear friends,

Thank you so much for considering/agreeing to be a part of our first webinar, focused on the EPAs Clean Power Rule. I hope this will be beneficial not only for you as participants, but also for the community based organizations I hope will listen in!

With that said - and the holiday approaching - I want to make sure that we start thinking about the overall message and timing for the webinar. As you will see from the attachment, there are folks that are confirmed, some that are invited and some that might just hang out to help answer questions. So, as written, we will remain a little flexible at this point. Some quick thoughts:

1. Please take a look at the agenda and let me know if it's crazy or not! Review the talking points and feel free to adjust/delete as needed. If there are major changes that you need to suggest, let's definitely chat off line.

2. For those who will be presenting, if you could prepare 3-4 slides MAX (if you choose to use slides) that would be great. If NOT, I'll just create ONE slide with you name, title, topic.

3. I'd like to have a 'check-in' late next week to make sure everything is set. I'll send out a quick doodle (I hate to do that) but I'm thinking next Thursday, July 10th, 2 pm EST check-in? If not, Monday, July 14th at 2 pm? We will see which works best for folks. If not, I can talk with everyone one-on-one. At that time, we can also test the Webinar platform as well.

4. I plan on sending you a flyer and link that you can share with your networks no later than Monday. Stay tuned!

5. Please send me a short bio and picture that you would like used during the webinar before or by July 11th!

Okay, that's it for now. I will be sending out a Calendar Invite to hold the Webinar date and time on your calendar as well.

Thanks so much and just give me a shout if you need anything.

Jalonne

--

Dr. Jalonne L. White-Newsome

Environmental Justice Federal Policy Analyst

WE ACT for Environmental Justice

50 F Street, NW, Eighth Floor

Washington, DC 20001

Telephone: (202) - 495 - 3036

Cell Phone: Ex. 6 - Personal Privacy

Fax: (202) - 547 - 6009

Website: www.weact.org

Facebook: www.weact.org/facebook

Twitter: www.weact.org/twitter

Text **WEACT** to **22828** to join our mailing list

To: Jalonne White-Newsome[jalonne@weact.org]; bnewell@crpe-ej.org[bnewell@crpe-ej.org]; Jacqui Patterson[jpatterson@naacpnet.org]; Leslie Fields[leslie.fields@sierraclub.org]; Nicky Sheats[Ex. 6 - Personal Privacy]; Laureen Boles[Ex. 6 - Personal Privacy]; Vanessa Carter[Ex. 6 - Personal Privacy]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Ananda@no-burn.org[Ananda@no-burn.org]
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1. Please take a look at the agenda and let me know if it's crazy or not! Review the talking points and feel free to adjust/delete as needed. If there are major changes that you need to suggest, let's definitely chat off line.

2. For those who will be presenting, if you could prepare 3-4 slides MAX (if you choose to use slides) that would be great. If NOT, I'll just create ONE slide with you name, title, topic.

3. I'd like to have a 'check-in' late next week to make sure everything is set. I'll send out a quick doodle (I hate to do that) but I'm thinking next Thursday, July 10th, 2 pm EST check-in? If not, Monday, July 14th at 2 pm? We will see which works best for folks. If not, I can talk with everyone one-on-one. At that time, we can also test the Webinar platform as well.

4. I plan on sending you a flyer and link that you can share with your networks no later than Monday. Stay tuned!

5. Please send me a short bio and picture that you would like used during the webinar before or by July 11th!

Okay, that's it for now. I will be sending out a Calendar Invite to hold the Webinar date and time on your calendar as well.

Thanks so much and just give me a shout if you need anything.

Jalonne

--

Dr. Jalonne L. White-Newsome

Environmental Justice Federal Policy Analyst

WE ACT for Environmental Justice

50 F Street, NW, Eighth Floor

Washington, DC 20001

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Twitter: www.weact.org/twitter

Text **WEACT** to **22828** to join our mailing list

To: bnewell@crpe-ej.org[bnewell@crpe-ej.org]; Jacqui Patterson[jpatterson@naacpnet.org]; Leslie Fields[leslie.fields@sierraclub.org]; Nicky Sheats[Ex. 6 - Personal Privacy]; Laureen Boles[Ex. 6 - Personal Privacy]; vanessa.carter@usc.edu[vanessa.carter@usc.edu]; mpastor@dornsife.usc.edu[mpastor@dornsife.usc.edu]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Ananda@no-burn.org[Ananda@no-burn.org]
Cc: cecil@weact.org[cecil@weact.org]; peggy@weact.org[peggy@weact.org]
From: Ex. 6 - Personal Privacy
Sent: Tue 7/1/2014 3:06:41 PM
Subject: Draft webinar talking points & prep meeting for EJ Clean Power Rule Webinar
Draft EJ Clean Power Rule Webinar Talking Points for 07 17 2014.docx

Dear friends,

Thank you so much for considering/agreeing to be a part of our first webinar, focused on the EPAs Clean Power Rule. I hope this will be beneficial not only for you as participants, but also for the community based organizations I hope will listen in!

With that said - and the holiday approaching - I want to make sure that we start thinking about the overall message and timing for the webinar. As you will see from the attachment, there are folks that are confirmed, some that are invited and some that might just hang out to help answer questions. So, as written, we will remain a little flexible at this point. Some quick thoughts:

- 1. Please take a look at the agenda and let me know if it's crazy or not! Review the talking points and feel free to adjust/delete as needed. If there are major changes that you need to suggest, let's definitely chat off line.***
- 2. For those who will be presenting, if you could prepare 3-4 slides MAX (if you choose to use slides) that would be great. If NOT, I'll just create ONE slide with you name, title, topic.***
- 3. I'd like to have a 'check-in' late next week to make sure everything is set. I'll send out a quick doodle (I hate to do that) but I'm thinking next Thursday, July 10th, 2 pm EST check-in? If not, Monday, July 14th at 2 pm? We will see which works best for folks. If not, I can talk with everyone one-on-one. At that time, we can also test the Webinar platform as well.***
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- 5. Please send me a short bio and picture that you would like used during the webinar before or by July 11th!***

Okay, that's it for now. I will be sending out a Calendar Invite to hold the Webinar date and time on your calendar as well.

Thanks so much and just give me a shout if you need anything.

Jalonne

--

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Text **WEACT** to **22828** to join our mailing list

What's at stake: the fate of Environmental Justice and the EPA's Clean Power Plan: Part 1

Thursday, July 17, 2014

2:00 – 3:30 pm EST

Speaker Line-Up (invited*) [speaking time]

Ms. Leslie Fields [7 min]

Mr. Brent Newell [7 min]

Dr. Manuel Pastor* [7 min]

Ms. Jacqui Patterson* [7 min]

Dr. Nicky Sheats/Mr. Cecil Corbin-Mark [7 min]

EPA Representative [5 min]

Possible Discussants:

Representative from Regional Greenhouse Gas Initiative (RGGI)**

Representative from Climate Justice Alignment**

Representative from GAIA (Global Alliance for Incineration Alternatives)* *

Representative from Academia**

Moderator: Dr. Jalonne L. White-Newsome [10 min – Intro/Closing & Q&A]

I. Introduction (Jalonne) [5 min]

- a. Purpose of webinar
- b. Introduction of WE ACT and co-sponsor organizations
- c. Logistics: take questions after all speakers have shared; mute your phone; send questions via webinar platform; will address in the Q&A period; webinar will be recorded and posted
- d. Principles of climate justice
- e. Landscape of power plants/known health impacts/who's impacted
- f. Hit on health impacts/benefits
- g. Questions we need to respond to
- h. Intro of speakers and discussants

II. Overview of the rule (Leslie) [7 min]

- a. 1st rule to regulate Greenhouse Gas emissions
- b. How the rule is constructed
- c. 4 building blocks
- d. Overall rule process and timeline
- e. Highlight examples of the 'menu of options' offered by the rule
- f. How mainstream orgs are moving around this rule
- g. The need for EJ movement to 'move' around this rule as well

III. Agency considerations integrating EJ into the Rule (EPA/OEJ Representative) [3 min]**

- a. Explain how environmental justice was included into the proposed plan
- b. Will our comments influence the outcomes (federal, state)
- c. What are the key points we should bring out?

IV. Lessons from California (Brent) [10 min]

- a. Explain CA – Cap and Trade (how it's set up, how the auctions work, etc.)
- b. 3 main concerns that we should bring out about this rule
 - i. Civil Rights
 - ii. No actual emission reductions
 - iii. How EJ voices were 'kicked out' of the process and final decision making
- c. The need: if we don't engage now, it will be too late to make changes later

V. Lessons from the Northeast (Cecil/Nicky) [7 min]

- a. Explanation of RGGI program (area the program covers, what's known, what's unknown)
- b. Our concerns
- c. Other mitigation options (quick explanation of carbon tax, cap and dividend)

VI. Energy Alternatives (Jacqui) [7 min]

- a. How energy impacts our communities – federal, state
- b. Present energy options (the feasibility of alternative energy, energy efficiency)
- c. Overview of the state landscape (key findings from Just Energy report)
- d. Can alt energy/energy efficiency be enough to get us over?
- e. Possible speak about just transition and jobs
- f. What are the key energy issues we should comment about
- g. Example: state that is a good model for policy

VII. Research findings and other options to close the climate gap (Dr. Pastor) [5 min]**

- a. Main findings from research on the climate/health gap
- b. What is the type of data we need to help make our case
- c. What are the questions we should ask
- d. What are some policy options we might offer up as solutions

VIII. Next steps (Jalonne) [3 min]

- a. 2 things: share your comments, join the campaign, join our next webinar
- b. Share your comments:

- i. Testify at public hearings – end of July, mid-October
 - i. Sample testimony and comments on website
 - ii. If you would like to help prepare, or sign on to joint comments once they are completed, let me know
 - b. Resources posted on our website: sample testimony, hearing locations, webinar recording, contact info for speakers
 - c. Join the campaign:
 - i. Collect ALL of the campaigns and efforts that are going on. Fill in on our website so we can get a sense of the strength of our community. We also want to collect all statements to post as well. So PLEASE send those in.
 - ii. Join our voices: WE ACT, members of the EJ Forum and many others are coming together. If you are interested in joining our campaign, sign up, send an email or call.
 - 1. We want to be supportive of our partners, CJA, GAIA and others as well.
 - d. Next Webinar: Fall – how to engage at the state level
- IX. Q&A [15 min]**
- a. Field any questions generated from the queue
 - b. Any comments from discussants

** Invited to participate in webinar. Might serve as a discussant where needed.

To: B Wilson (External)[bwilson@bdlaw.com]; Leslie Fields (External)[leslie.fields@sierraclub.org]; Quentin Pair (External)[quentin.pair@usdoj.gov]; jeffrey.Sands@usdoj.gov[jeffrey.Sands@usdoj.gov]; Evans, Carlos[Evans.Carlos@epa.gov]; [Ex. 6 - Personal Privacy](#) dneal@lawyerscommittee.org[dneal@lawyerscommittee.org]; Lee, Charles[Lee.Charles@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov]; Lisa Garcia[[Ex. 6 - Personal Privacy](#)]; Daphne Rubin-Vega[[Ex. 6 - Personal Privacy](#)];
Cc: Grant Trisha[[Ex. 6 - Personal Privacy](#)]; Joanne Melendez (External)[[Ex. 6 - Personal Privacy](#)]; Shawn O'Brien[sobrien@hunton.com]; Stephanie Maddin[smaddin@earthjustice.org]; Jones Kimberly[[Ex. 6 - Personal Privacy](#)]; Richard Carlton[[Ex. 6 - Personal Privacy](#)]; Simms Patrice[PSimms@law.howard.edu]
From: Simms Patrice
Sent: Fri 3/28/2014 3:32:46 PM
Subject: REMINDER: Howard Student EJ - Brunch - TOMORROW!

Good morning every one. Just a quick reminder that the Howard Student EJ Brunch is TOMORROW. We will meet at 11am at Open City Coffee House (2331 Calvert St. NW, <http://www.opencitydc.com>). I will get there early to get us a table. My current head count is below, so please let me know if I don't have your status right (I need to be able to tell the establishment how many people we expect). If you are listed as uncertain, please let me know whether you plan to come or not (thanks!).

Right now, it looks like the following people will be able to make it (in addition to our two students):
Quentin Pair,
Charles Lee (coming perhaps a little late)
Ali Mustafa
Joanne Melendez
Lisa Garcia

Uncertain:
Leslie Fields
Vernice Miller Travis
Stephanie Maddin
Trisha Grant

I look forward to seeing you all. (more info below).

Warmest regards,
Patrice.

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[Linkedin<http://www.linkedin.com/pub/patrice-simms/11/816/a9b>](http://www.linkedin.com/pub/patrice-simms/11/816/a9b)

From: Patrice Simms <psimms@law.howard.edu<<mailto:psimms@law.howard.edu>>>
Date: Tuesday, March 18, 2014 11:33 AM
To: Benjamin Wilson <BWilson@bdlaw.com<<mailto:BWilson@bdlaw.com>>>, Leslie Fields <Leslie.Fields@sierraclub.org<<mailto:Leslie.Fields@sierraclub.org>>>, Quentin Pair <Quentin.Pair@usdoj.gov<<mailto:Quentin.Pair@usdoj.gov>>>, Jeff Sands <jeffrey.Sands@usdoj.gov<<mailto:jeffrey.Sands@usdoj.gov>>>, Evans Carlos <Evans.carlos@Epa.gov<<mailto:Evans.carlos@Epa.gov>>>, Vernice Miller-Travis <[Ex. 6 - Personal Privacy](#)>
[Ex. 6 - Personal Privacy](#) Daria Neal

<dneal@lawyerscommittee.org<mailto:dneal@lawyerscommittee.org>>, Charles Lee
<Lee.Charles@epamail.epa.gov<mailto:Lee.Charles@epamail.epa.gov>>, Mustafa Ali
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Cc: Grant Trisha Ex. 6 - Personal Privacy Joanne Melendez
Ex. 6 - Personal Privacy Shawn O'Brien
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<smaddin@earthjustice.org<mailto:smaddin@earthjustice.org>>, Jones Kimberly

Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy

Subject: Re: Howard Student EJ - Brunch

While several of you cannot make the 29th, it looks like we have a sufficient positive response to move forward. So, the plan is to meet at Open City at 11am. If this time poses a challenge for any one please let me know, and we can make adjustments. I will arrive early to get us a table.

Please re-confirm that you can make it so that I have an accurate head count for our table.

I look forward to seeing you there.

-Patrice.

(Trisha, Joanne, Stephanie, and Shawn, it would also be wonderful if you could come. Just let me know)

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Linkedin<<http://www.linkedin.com/pub/patrice-simms/11/816/a9b>>

From: Patrice Simms <psimms@law.howard.edu<mailto:psimms@law.howard.edu>>
Date: Wednesday, March 5, 2014 11:57 AM
To: Benjamin Wilson <BWilson@bdlaw.com<mailto:BWilson@bdlaw.com>>, Leslie Fields
<Leslie.Fields@sierraclub.org<mailto:Leslie.Fields@sierraclub.org>>, Quentin Pair
<Quentin.Pair@usdoj.gov<mailto:Quentin.Pair@usdoj.gov>>, Jeff Sands
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Ex. 6 - Personal Privacy Daria Neal
<dneal@lawyerscommittee.org<mailto:dneal@lawyerscommittee.org>>, Charles Lee
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<Ali.Mustafa@epamail.epa.gov<mailto:Ali.Mustafa@epamail.epa.gov>>, Lisa Garcia
Ex. 6 - Personal Privacy Daphne Rubin-Vega
Ex. 6 - Personal Privacy

Subject: Re: Howard Student EJ - Brunch

Are any of you available on March 29 – that is the last Saturday in March. Ex. 6 - Personal Privacy and his guest (another outstanding environmental law student – Ex. 6 - Personal Privacy are available that day. I was thinking that we could meet sometime between 10 and 1pm at - this location has the benefit of being right on the Red Line, and quite convenient for our guest of honor. My plan is to treat Ex. 6 - Personal Privacy and I will get there

early to get us a table. I do need an accurate count beforehand however, so please let me know if you will be able to come AND if there is a particular time that is better for you. I will work with [Ex. 6 - Personal Privacy] to set a time that accommodates the most people.

Thanks!! And I look forward to seeing you.

Patrice

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From: Patrice Simms <psimms@law.howard.edu<<mailto:psimms@law.howard.edu>>>
Date: Wednesday, February 12, 2014 3:25 PM
To: Benjamin Wilson <BWilson@bdlaw.com<<mailto:BWilson@bdlaw.com>>>, Leslie Fields <Leslie.Fields@sierraclub.org<<mailto:Leslie.Fields@sierraclub.org>>>, Quentin Pair <Quentin.Pair@usdoj.gov<<mailto:Quentin.Pair@usdoj.gov>>>, Jeff Sands <jeffrey.Sands@usdoj.gov<<mailto:jeffrey.Sands@usdoj.gov>>>, Evans Carlos <Evans.carlos@Epa.gov<<mailto:Evans.carlos@Epa.gov>>>, Vernice Miller-Travis <Vernice.Miller-Travis@epa.gov>>, Daria Neal <dneal@lawyerscommittee.org<<mailto:dneal@lawyerscommittee.org>>>, Charles Lee <Lee.Charles@epamail.epa.gov<<mailto:Lee.Charles@epamail.epa.gov>>>, Mustafa Ali <Ali.Mustafa@epamail.epa.gov<<mailto:Ali.Mustafa@epamail.epa.gov>>>, Lisa Garcia <Lisa.Garcia@epamail.epa.gov>>
[Ex. 6 - Personal Privacy]
Subject: Howard Student EJ - Brunch

All:

Last semester I offered up an auction item for the Howard Law Public Interest Law fundraising auction an "EJ brunch for two with Professor Simms and a few of his friends." The winning bidder is an outstanding student named [Ex. 6 - Personal Privacy]. He is a third year student, and has taken several of the environmental law offerings. I would like to schedule a brunch with him, and am hoping that a few of you might join me (also feel free to invite others).

If you would be interested, please let me know, and I will work with [Ex. 6 - Personal Privacy] to find a time and location that works for him and for at least a few of us.

Very best to you all,
Patrice.

Patrice Lumumba Simms<<http://www.law.howard.edu/1204>>
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To: braderv@michigan.gov[braderv@michigan.gov]
Cc: SnyderR3@michigan.gov[SnyderR3@michigan.gov];
creaghk@michigan.gov[creaghk@michigan.gov]; McCarthy, Gina[McCarthy.Gina@epa.gov]; Ali,
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Anderson[rhonda.anderson@sierraclub.org]
From: Sharonda Williams-Tack
Sent: Thur 5/12/2016 9:06:09 PM
Subject: Michigan Agency for Energy's Clean Power Plan Stakeholder Process
[CPP Stakeholder process.doc](#)

Hello Ms. Brader:

My name is Sharonda Williams-Tack. I am the Environmental Justice State Coordinator at Sierra Club. I have included below the contact information for my colleague Rhonda Anderson, Environmental Justice Organizer in Sierra Club's Detroit office. The letter attached addresses Michigan Agency for Energy's designation of Coalition to Keep Michigan Warm as the appointed representative for low-income/vulnerable community interests as it pertains to community engagement for the Clean Power Plan. This designation presents a clear conflict of interest since Coalition to Keep Michigan Warm has utility members that operate affected energy generating units that are subject to the Clean Power Plan. We look forward to your timely response on this matter. Thank you and have a great day.

Sincerely,
Sharonda C. Williams-Tack, Esq.
Environmental Justice State Coordinator
Email: sharonda.williams-tack@sierraclub.org
Phone: (202) 675-7902

Rhonda Anderson
Senior Organizing Representative, Beyond Coal Campaign & Environmental Justice Organizer
Email: rhonda.anderson@sierraclub.org
Phone: (313) 965-0052

To: braderv@michigan.gov[braderv@michigan.gov]
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Cain, Alexis[cain.alexis@epa.gov]; Newman, Erin[newman.erin@epa.gov]; Rhonda
Anderson[rhonda.anderson@sierraclub.org]
From: Sharonda Williams-Tack
Sent: Thur 5/12/2016 8:46:17 PM
Subject: Michigan Agency for Energy and the Clean Power Plan
[CPP and Environmental Justice.doc](#)

Good Afternoon Ms. Brader:

My name is Sharonda Williams-Tack. I am the Environmental Justice State Coordinator at Sierra Club. I have included below the contact information for my colleague Rhonda Anderson, Environmental Justice Organizer in Sierra Club's Detroit office. The letter attached addresses Michigan Agency for Energy's refusal to meet with environmental justice groups to discuss the Clean Power Plan. We look forward to your timely response. Thank you and have a great day.

Sincerely,
Sharonda C. Williams-Tack, Esq.
Environmental Justice State Coordinator
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Rhonda Anderson
Senior Organizing Representative, Beyond Coal Campaign & Environmental Justice Organizer
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May 12, 2016

Valerie Brader, Executive Director
Michigan Agency for Energy
7109 W. Saginaw Highway
Lansing, MI 48917

Dear Ms. Brader:

In January 2016 members of the Michigan Environmental Justice Clean Power Plan Working Group contacted you to schedule a meeting to discuss Michigan Agency for Energy's engagement of low-income/vulnerable communities in the Clean Power ("CPP") stakeholder engagement process. In a Michigan Agency for Energy news release from December 2015 you stated "It is important to the development of our state plan that we have a robust stakeholder engagement process." As environmental justice stakeholders the Michigan Environmental Justice Clean Power Plan Working Group wanted to speak with you about how the agency planned to address the CPP's community engagement requirements as it pertained to communities of color and/or low-income and offer our technical assistance. You refused to meet with them to discuss the CPP.

The CPP sets forth requirements for states to engage meaningfully with the public, including vulnerable communities, during the initial and final plan submittal processes. EPA specifies that meaningful involvement goes beyond the holding of a public hearing.¹ EPA states that meaningful engagement includes outreach to vulnerable communities, soliciting input on state plan development, and fostering their involvement at critical junctures in plan formulation and implementation.²

The CPP generally refers to "vulnerable" or overburdened communities to indicate those communities that are least resilient to the impacts of climate change and central to environmental justice considerations.³ EPA intends for these terms to capture the full scope of communities, including urban and rural, that have high concentrations of communities of color, tribal, and/or low-income populations.⁴ The Michigan Environmental Justice Clean Power Plan Working Group consists of members that live, work and advocate in and for communities of color and/or low-income in Michigan. As a stakeholder group specifically identified in the CPP, we believe it is EPA's intent that the state communicate with and solicit input from communities of color and/or low-income and their advocates on the state implementation plan. In order for states to foster the involvement of vulnerable communities at critical junctures in state plan development there must be an inclusive and robust stakeholder process. An inclusive and robust stakeholder process includes meeting with interested stakeholders to garner and incorporate invaluable input that will shape an equitable and strong state implementation plan.

We are aware that Michigan has decided to suspend its efforts to comply with the Clean Power Plan while the U.S. Court of Appeals reviews the rule on its merits. Several states, like California, Pennsylvania, and Minnesota, have pledged to continue their planning efforts. We think it is critical that the state use this time wisely to ensure an equitable plan development process. Sierra Club encourages Michigan Agency for Energy to meet with and collaborate with environmental justice

1 Clean Power Plan Final Rule at (CPP) page 188

2 Clean Power Plan Final Rule at (CPP) page 256

3 Clean Power Plan Final Rule at (CPP) page 198

4 Clean Power Plan Final Rule at (CPP) page 255

community members and environmental justice advocates to ensure that these communities are fully involved in the development of Michigan's CPP state implementation plan. Rhonda Anderson, Sierra Club's environmental justice organizer in Detroit is available to meet with you at your convenience.

When Michigan Agency for Energy resumes compliance it is our hope moving forward that the agency will collaborate with communities of color and/or low-income to ensure that the state implementation plan does not disproportionately harm these communities but instead provides health, economic, and environmental benefits.

Sincerely,

Sierra Club, Michigan Chapter

Sharonda C. Williams-Tack Esq., Sierra Club, National Environmental Justice Department

Alisha Winters, Transition/Planning Committee for River Rouge, Detroit (48217) and Ecorse

Ebony Elmore, Transition/Planning Committee for River Rouge, Detroit (48217) and Ecorse

Deitra Covington-Porter, Transition/Planning Committee for River Rouge, Detroit (48217) and Ecorse

Dr. Dolores Leonard, Transition/Planning Committee for River Rouge, Detroit (48217) and Ecorse

Theresa Landrum, Transition/Planning Committee for River Rouge, Detroit (48217) and Ecorse

Vickie Dobbins, Transition/Planning Committee for River Rouge, Detroit (48217) and Ecorse

Mr. Jay Henderson, President of the Riverbend Community Association

Monica Lewis-Patrick, Co-founder of We the People of Detroit

Yusef Shakur, Community Leader, Field Marshall, Souljahs of the People, Detroit

cc: Rick Snyder, Governor of Michigan

Keith Creagh, Interim Director, Michigan Department of Environmental Quality

Gina McCarthy, Administrator, U.S. EPA

Mustafa Ali, Senior Advisor to the Administrator for Environmental Justice, U.S. EPA

Janet McCabe, Acting Assistant Administrator for the Office of Air and Radiation

Robert Kaplan, Interim Chief, U.S. EPA Region 5

Alan Walts, U.S. EPA 5, Director- Office of Enforcement and Compliance Assurance

Lara Lasky, U.S. EPA Region 5, Environmental Justice Coordinator

Alexis Cain, U.S. EPA Region 5, Clean Power Plan Contact

Erin Newman, U.S. EPA Region 5, Community Clean Power Plan Contact

Congresswoman Debbie Dingell, Michigan District 12

Congressman John Conyers, Michigan District 13

Congresswoman Brenda Lawrence, Michigan District 14

United States Senator Gary Peters, Michigan

United States Senator Debbie Stabenow, Michigan

To: jeffrey.Sands@usdoj.gov[jeffrey.Sands@usdoj.gov];
'PSimms@law.howard.edu'[PSimms@law.howard.edu]; 'bwilson@bdlaw.com'[bwilson@bdlaw.com];
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Charles[Lee.Charles@epa.gov]; Ali, Mustafa[Ali.Mustafa@epa.gov];
Lisa Garica Personal Email Ex. 6 - Personal Privacy

From: Evans, Carlos
Sent: Tue 2/18/2014 4:16:44 PM
Subject: RE: Howard Student EJ - Brunch

I'm in as well.

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Washington, DC 20460
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-----Original Message-----

From: Sands, Jeffrey (ENRD) [mailto:Jeffrey.Sands@usdoj.gov]
Sent: Tuesday, February 18, 2014 10:25 AM
To: 'PSimms@law.howard.edu'; 'bwilson@bdlaw.com'; 'leslie.fields@sierraclub.org'; Pair, Quentin (ENRD); Evans, Carlos; Ex. 6 - Personal Privacy dneal@lawyerscommittee.org; Lee, Charles; Ali, Mustafa;
Lisa Garica Personal Email Ex. 6 - Personal Privacy
Subject: Re: Howard Student EJ - Brunch

Patrice,

Please count me in.

--Jeff

Sent Using U.S. DOJ/ENRD BES 5 Server

----- Original Message -----

From: Simms Patrice [mailto:PSimms@law.howard.edu]
Sent: Wednesday, February 12, 2014 03:25 PM
To: B Wilson (External) <bwilson@bdlaw.com>; Leslie Fields (External) <leslie.fields@sierraclub.org>; Pair, Quentin (ENRD); Sands, Jeffrey (ENRD); Evans Carlos <Evans.carlos@Epa.gov>; Vernice Miller-Travis Ex. 6 - Personal Privacy Daria Neal <dneal@lawyerscommittee.org>; Charles Lee <Lee.Charles@epamail.epa.gov>; Mustafa Ali <Ali.Mustafa@epamail.epa.gov>; Lisa Garcia

Ex. 6 - Personal Privacy

Subject: Howard Student EJ - Brunch

All:

Last semester I offered up an auction item for the Howard Law Public Interest Law fundraising auction an

"EJ brunch for two with Professor Simms and a few of his friends." The winning bidder is an outstanding student named Ex. 6 - Personal Privacy. He is a third year student, and has taken several of the environmental law offerings. I would like to schedule a brunch with him, and am hoping that a few of you might join me (also feel free to invite others).

If you would be interested, please let me know, and I will work with Ex. 6 - Personal Privacy to find a time and location that works for him and for at least a few of us.

Very best to you all,
Patrice.

Patrice Lumumba Simms<<http://www.law.howard.edu/1204>>
Assistant Professor
Howard University School of Law
406 Houston Hall
2900 Van Ness St. NW
Washington, DC 20008
(202) 806-8027
psimms@law.howard.edu<<mailto:psimms@law.howard.edu>>
Linkedin<<http://www.linkedin.com/pub/patrice-simms/11/816/a9b>>

To: Ali, Mustafa[Ali.Mustafa@epa.gov]; B Wilson (External)[bwilson@bdlaw.com]; Leslie Fields (External)[leslie.fields@sierraclub.org]; Quentin Pair (External)[quentin.pair@usdoj.gov]; jeffrey.Sands@usdoj.gov[jeffrey.Sands@usdoj.gov]; Evans, Carlos[Evans.Carlos@epa.gov]; Vernice Miller-Travis[Ex. 6 - Personal Privacy]dneal@lawyerscommittee.org[dneal@lawyerscommittee.org]; Lee, Charles[Lee.Charles@epa.gov]; Lisa Garcia[Ex. 6 - Personal Privacy]
From: Simms Patrice
Sent: Tue 2/18/2014 3:52:00 PM
Subject: Re: Howard Student EJ - Brunch

Fantastic everyone! I will be talking with [Ex. 6 - Personal Privacy] today, and will get some possible dates/times to share with the group. We will just pick whatever time works for the most people.

Thanks all!
-patrice

Patrice Lumumba Simms <<http://www.law.howard.edu/1204>>
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On 2/18/14 10:27 AM, "Ali, Mustafa" <Ali.Mustafa@epa.gov> wrote:

>I'm definitely in.
>
>Mustafa
>
>
>-----
>From: Simms Patrice <PSimms@law.howard.edu>
>Sent: Wednesday, February 12, 2014 3:25:11 PM
>To: B Wilson (External); Leslie Fields (External); Quentin Pair
>(External); jeffrey.Sands@usdoj.gov; Evans, Carlos; Vernice
>Miller-Travis; dneal@lawyerscommittee.org; Lee, Charles; Ali, Mustafa;
>Lisa Garcia
>Subject: Howard Student EJ - Brunch
>
>All:
>Last semester I offered up an auction item for the Howard Law Public
>Interest Law fundraising auction an "EJ brunch for two with Professor
>Simms and a few of his friends." The winning bidder is an outstanding
>student named [Ex. 6 - Personal Privacy] He is a third year student, and has taken
>several of the environmental law offerings. I would like to schedule a
>brunch with him, and am hoping that a few of you might join me (also feel
>free to invite others).
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>If you would be interested, please let me know, and I will work with
[Ex. 6 - Personal Privacy] to find a time and location that works for him and for at least a

>few of us.
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>Very best to you all,
>Patrice.
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